



~ Agenda ~

Regular Town Board Meeting of February 10, 2015 Southampton, New York

I. Call to Order

1:00 PM Meeting called to order on February 10, 2015 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Anna Throne-Holst	
Councilman Bradley Bender	
Councilwoman Christine Preston Scalera	
Councilwoman Bridget Fleming	
Councilman Stan Glinka	

II. Minutes Approval

1. Special Town Board Meeting January 22, 2015 12:00 PM

III. Communications

A. Public Notices

1. Suffolk County Planning Commission

Letter of Local Determination regarding the following:

1. Assume Lead Agency for Tiana Beach Beach Emergency Levee Project
2. Adopt SEQRA Neg Dec for Dredging Tiana Beach Beach Emergency Levee Project
3. Chap 330-162.18 "Accessory Vending Vehicles to a Restaurant"
4. Deem DEIS Adequate for Commencing Public Review re: "Tuckahoe Center"

2. Village of Quogue

Notice of Public Hearing, Chap 196 "Zoning-Business B-2 District"

3. Village of Sagaponack

Notice of Adoption, Sect 245-34(Q) "Regulation of Helicopters"

4. Liquor License Renewals / Applications

Rod & Reel Hotel Corp. d/b/a John J. Dorans; National Golf Links of America

5. Letters / Petitions / Land Use Applications

Letters / e-mails regarding the following:

1. Tuckahoe Center

2. Pyrrus Concer Homestead, Southampton Village
3. Lyzon Hat Shop Property, Hampton Bays
4. The Hills at Southampton MUPDD, East Quogue

Conservation Board Applications:

1. Censi, 25 Fish Cove Road, Southampton
2. Tierney, 312 Madison Street, Sag Harbor (Village)

Planning Board Applications:

1. Ramme/Welden, 1649 & 1653 Millstone Rd., Noyac
2. Southampton Meadows, Sebonac Road, Tuckahoe

Zoning Board of Appeals Applications:

1. Bocchi, 73 Inlet Road, Shinnecock Hills
2. Furey, 49 West End Avenue, East Quogue
3. Waxman, 21B Gardiner's Lane, Hampton Bays

6. Town of Riverhead

Notice of Adoption, Chap 52-6 "Building Construction"

B. Bid Openings

1. Bid Openings - February 2015

Requirements Contract for Drainage East & West of Canal (Opened 2/4/15):

1. Fort Hill Industries, Inc. - West Only: \$963,600
2. Sypher Construction & Paving Corp. - West Only: \$1,016,073
3. Roadwork Construction Corp. - West Only: \$490,316
4. South Fork Asphalt - East Only: \$376,440
5. Laser Industries - West Only: \$610,800
6. Keith Grimes, Inc. - East Only: \$384,800

Requirements Contract for Pavement Repairs (Opened 2/4/15):

1. South Fork Asphalt - \$847,615
2. Rosemar Construction - \$592,310
3. Suffolk Asphalt Corp. - \$599,602

IV. Public Hearings

1. Public Hearing to Consider Acquisition of Lands of Melzer, Remsenburg/Speonk, and Amend the CPF Management and Stewardship Plan to Include Said Properties

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

2. Public Hearing to Consider the Transfer of Lands from Suffolk County, East Quogue, and Amend the CPF Management and Stewardship Plan to Include Said Properties

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

3. Public Hearing to Consider Granting a License to Habitat for Humanity of Peconic, Inc. for the Use of a Portion of a Town-owned Building for Storage Purposes

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

4. Public Hearing to Consider Amending Town Code §330-202 of Article XXII (Signs) Changing the Extended Amortization Date for Signs to be in Compliance to January 1, 2017

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

5. Public Hearing to Amend Chapter 330 (ZONING), ARTICLE XVII (Special Exception Uses) to Add Specific Special Exception Standards Applicable to Uses in Excess of 5,000 Sq. Ft. and Less than 15,000 Sq. Ft.

Adjourned 9/23/2014 6:00 PM, 10/14/2014 1:00 PM, 10/28/2014 6:00 PM, 11/12/2014 1:00 PM, 12/18/2014 11:00 AM, 1/13/2015 1:00 PM

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

6. Public Hearing to Consider Amending Town Code Section 140-4 to Add an Additional Ex-Officio Member to the Community Preservation Fund Advisory Board

and to Provide that Two of these Members Shall also Serve as Alternates to the Board

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

7. Public Hearing to Amend Various Sections of the Southampton Town Code to Establish Terms, Term Limits and Alternate Members for Various Appointed Boards

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

8. Public Hearing on DEIS for the Zone Change Application Entitled "Tuckahoe Center", to Rezone Certain Properties from Highway Business (HB) and Residential Zoning Districts (R-20) to Shopping Center Business (SCB), Hamlet of Tuckahoe

Adjourned 2/3/2015 6:00 PM

ü Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

V. Public Portion

VI. Town Board Resolutions

Town Board Resolution 2015-178

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Human Services

2015 Cultural Arts and Recreation Grants

WHEREAS, the 2015 Adopted Budget for the Town of Southampton provides funding through the Cablevision Franchise Fees for the Cultural Arts and Recreation grants program; and

WHEREAS, applications from various agencies and organizations that provide such programs to the Town's diverse populations have been reviewed by the Community Services Division and members of the Southampton Town Board; now therefore be it

RESOLVED, that the following 2015 Cultural Arts and Recreation awards are approved with funding provided through the Human Services Contracts Other GL Account #01-99-6010-01-6420-0010 for \$21,000 and GL Account # 01-99-6010-01-6420-0000 for \$2,750;

<u>2015 Cultural Arts and Recreation Grants</u>	<u>Awards</u>
Art Remsenburg	\$500
Bay Street Theatre	\$1,500
Bridgehampton Chamber Music Festival	\$500
Center for Therapeutic Riding	\$500
Children's Museum of the East End	\$1,000
Choral Society of the Hamptons	\$500
East End African American Museum and CCE	\$1,000
East End Special Players, Inc.	\$1,500
East Quogue Civic Association	\$500
East Quogue Civic Assoc. /Summer Concert Series	\$2,750
East Quogue Historical Society	\$1,000
Friends of the Long Pond Greenbelt	\$500
Galilee Church of God in Christ	\$500
Hampton Bays Public Library	\$500
Horticultural Alliance of the Hamptons	\$500
I-Tri Transformation Triathlon	\$500
North Fork Spanish Apostolate	\$500
OLA of Eastern L.I., Inc.	\$500
Parrish Art Museum	\$1,000
Pianofest in the Hamptons	\$500
Sag Harbor Historical Society	\$1,000
Sag Harbor Whaling Museum	\$500
Shinnecock Foundation of Arts	\$500
Southampton Arts Center	\$500
Southampton Cultural Center	\$500
Southampton Historical Museum	\$1,000
Southampton Rose Society	\$500
Water Mill Museum	\$1,000
Westhampton Beach Historical Society	\$1,000
Westhampton Beach Performing Arts Center	<u>\$1,500</u>
	\$23,750

and; be it

FURTHER RESOLVED, that the Supervisor is authorized to execute all related 2015 Cultural Arts and Recreation grant agreements.

Financial Impact:

Funds are available in Human Services Contracts Other GL # 01-99-6010-01-6420-0010 and GL # 01-99-6010-01-6420-0000

Ü Vote Record - Town Board Resolution RES-2015-178						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-179

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Human Services

2015 Human Service Grants Awards

WHEREAS, the 2015 Adopted Budget for the Town of Southampton provides funding through the Cablevision Franchise Fees for the Human Services Grants program; and

WHEREAS, applications from various agencies and organizations that provide such programs to the Town's diverse populations have been reviewed by the Community Services Division and members of the Southampton Town Board; now therefore be it

RESOLVED, that the following 2015 Human Services Grant awards are approved with funding provided through the Human Services Contracts Other GL Account #01-99-6010-01-6420-0016:

<u>2015 Human Services Grants</u>	<u>Awards</u>
Alternatives Counseling Service	\$9,000
Alternatives for Children	\$2,500
Big Brothers Big Sisters of Long Island	\$4,000
Bridgehampton Child Care & Recreation Center	\$6,000
Bridgehampton School Foundation	\$1,000
Catholic Charities	\$2,000
Child Care Council of Suffolk, Inc	\$1,000
Coalition for Women's Cancers	\$2,000
Dominican Sisters Family Service, Inc.	\$10,000
East End Hospice	\$1,000
EPIE Institute	\$2,500
Human Resources of the Hamptons	\$10,000
Human Understanding & Growth Seminars, Inc.	\$3,000
Joshua's Place	\$500
Long Island Council of Churches	\$2,000
Long Island Gay and Lesbian Youth Inc	\$1,000
Lucia's Angels	\$1,000
OLA of Eastern L.I., Inc.	\$2,500
Peconic Community Council	\$7,000
Pediatric Dental Fund of the Hamptons	\$5,000
Retired and Senior Volunteer Program RSVP	\$500
Retreat, Inc.	\$5,000
Riverhead Community Awareness Program, Inc	\$5,000
Shinnecock Foundation of Arts	\$1,000

Southampton Day Care	\$5,000
Southampton Hospital David E. Rogers / HIV/AIDS	\$1,000
Southampton Hospital Shinnecock Health Services	\$1,000
St. John's the Evangelist Office of Social Ministry	\$4,000
Time for Teens	\$1,000
Total	\$96,500

and be it:

FURTHER RESOLVED, that the Supervisor is authorized to execute all related 2015 Human Services grant agreements.

Financial Impact:

Funds available in Human Services Other Contracts GL# 01-99-6010-01-6420-0016

Ü Vote Record - Town Board Resolution RES-2015-179						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-180

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scalera
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute 2015 Spring Parks and Recreation Agreements for Programs

WHEREAS, the Town of Southampton provides programs during the winter, spring, summer and fall to the residents of the Town of Southampton both young and old in areas ranging from watercolor painting to dancing; and

WHEREAS, interviews are conducted with local professionals to determine their eligibility and experience to provide these services to the Town's residents; and

WHEREAS, based on those interviews, contracts with these vendors are subsequently signed to ensure that these services will be provided to our residents in a professional and safe manner; and

WHEREAS, the hourly wage paid to the vendor is negotiated by the Parks and Recreation Department and is paid by the participants of the program; and

WHEREAS, the Superintendent of the Parks and Recreation Department recommends that the Supervisor execute 2015 Spring agreements, these agreements shall be in effect for a period of five (5) years from the date of a fully executed contract, unless cancelled in writing, with the following independent contractors for the programs listed below:

SPRING BOOK:

CLASS	INSTRUCTOR	RATE
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Babysitting Training	Cornell Coop Extension	\$195.00 for up to 10 Students & \$15.00 Per additional student
CPR	Kenneth Clausman Jean Forrestal Jennie Forrestal Frank Luccarelli	\$65.00/class
Golf	Steve Feder	\$90/Adult \$80/Senior \$175/Student for Youth Golf Instruction \$400/Student for Junior Camp
Lifeguard Examiner	James McAllister	\$90/exam
Soccer	United Soccer Academy	\$80% of Registration Fees
Multi Sports	US Sports Institute	

WHEREAS, all of the instructors contained within the table above shall be required to execute contracts with the Town of Southampton; and

WHEREAS, in the event a vendor was not included in the list, Contracts Compliance shall prepare a contract for them but will not be required to prepare an additional resolution for the signing of the contract to add them, this resolution shall serve as authorization for the signing of any and all Instructor Agreements for 2015; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute agreements for a period of five (5) years from the date of a fully executed contract, unless cancelled in writing, with the individuals or entities listed above to provide services for the winter, spring, summer and fall programs offered by the Department of Parks and Recreation to commence in 2015, these agreements will be prepared by Contracts Compliance, per the Town Comptroller's Office, no purchase order shall be issued and no payment shall be made without a fully executed agreement. The source of funding for these agreements shall be Parks & Recreation Department Recreation Programs Division - Program Expenses G/L #01-99-7021-01-6470-0000 in amounts not to exceed budget allocation for each service.

Financial Impact:

The source of funding for these agreements shall be P&R Recreation Programs Division - Program Expenses G/L #01-99-7021-01-6470-0000 in amounts not to exceed budget allocation for each service.

Ü Vote Record - Town Board Resolution RES-2015-180						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-181

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a 2015 Contract Extension with Advance Auto Parts for the Supply of Auto Parts to the Town

WHEREAS, on March 21, 2014, pursuant to Resolution 2014-230, the Town of Southampton entered into contract with Advance Auto Parts for the Supply of Auto Parts to the Town; and

WHEREAS, this contract expires on March 20, 2015, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Superintendent of the Highway Department recommends that the Town extend this contract to March 21, 2016, for the first extension; and

WHEREAS, the amount of this 2015 contract extension shall not exceed allocated budget for these purposes for 2015, without further authorization by the Town Board; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2015 first contract extension with Advance Auto Parts for the Supply of Auto Parts to the Town; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding shall be Highway Garage Repair Equipment G/L #06-99-5132-06-6406-0000 in various amounts not to exceed budget.

Financial Impact:

The source of funding shall be Highway Garage Repair Equipment G/L #06-99-5132-06-6406-0000 in various amounts not to exceed budget.

Ü Vote Record - Town Board Resolution RES-2015-181						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-182

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a 2015 Contract Extension with Long Island Truck Parts for the Supply of Auto Parts to the Town

WHEREAS, on February 28, 2014, pursuant to Resolution 2014-230, the Town of Southampton entered into contract with Long Island Truck Parts for the Supply of Auto Parts to the Town; and

WHEREAS, this contract expires on February 27, 2015, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Superintendent of the Highway Department recommends that the Town extend this contract to February 28, 2016, for the first extension; and

WHEREAS, the amount of this 2015 contract extension shall not exceed allocated budget for these purposes for 2015, without further authorization by the Town Board; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2015 first contract extension with Long Island Truck Parts for the Supply of Auto Parts to the Town; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding shall be Highway Garage Repair Equipment G/L #06-99-5132-06-6406-0000 in various amounts not to exceed budget.

Financial Impact:

The source of funding shall be Highway Garage Repair Equipment G/L #06-99-5132-06-6406-0000 in various amounts not to exceed budget.

Ü Vote Record - Town Board Resolution RES-2015-182						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-183

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a 2015 Contract Extension with Riverhead Brake Service, as Primary Vendor, Long Island Truck Parts, as Secondary Vendor and All Systems Brake Services, as Tertiary Vendor to Supply Brakes and Appurtenances to the Town

WHEREAS, on February 28, 2014, pursuant to Resolution 2014-229, the Town of Southampton entered into contract with Riverhead Brake Service, as Primary Vendor, Long Island Truck Parts, as Secondary Vendor and All Systems Brake Services, as Tertiary Vendor to Supply Brakes and Appurtenances to the Town; and

WHEREAS, these contracts expires on February 27, 2015, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Superintendent of the Highway Department recommends that the Town extend these contracts to February 28, 2016, for the first extension; and

WHEREAS, the amount of this 2015 contract extension shall not exceed allocated budget for these purposes for 2015, without further authorization by the Town Board; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2015 first contract extension with Riverhead Brake Service, as Primary Vendor, Long Island Truck Parts, as Secondary Vendor and All Systems Brake Services, as Tertiary Vendor to Supply Brakes and Appurtenances to the Town; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding for this project shall be various G/L accounts within the Town in amounts not to exceed individual budgets.

Financial Impact:

The source of funding for this project shall be various G/L accounts within the Town in amounts not to exceed individual budgets.

Ü Vote Record - Town Board Resolution RES-2015-183						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-184

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Fleming, Councilman Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a 2015 Contract Extension with Strike Force Maintenance, Inc. for Weekly Cleaning Services at the Waste Management Facility

WHEREAS, on February 28, 2014, pursuant to Resolution 2014-154, the Town of Southampton entered into contract with Strike Force Maintenance, Inc. for Weekly Cleaning Services at the Waste Management Facility; and

WHEREAS, this contract expires on February 27, 2015, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Director of Municipal Works recommends that the Town extend this contract to February 27, 2016, for the first extension; and

WHEREAS, the amount of this 2015 contract extension shall not exceed allocated budget for these purposes for 2015, without further authorization by the Town Board; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2015 first contract extension with Strike Force Maintenance, Inc. for Weekly Cleaning Services at the Waste Management Facility; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding for this contract shall be Waste Management Post Closure - Contracts G/L #01-99-8160-01-6401-0000 in an amount not to exceed \$90.00 per cleaning with a total contract amount not to exceed budget.

Financial Impact:

The source of funding for this contract shall be Waste Management Post Closure - Contracts G/L #01-99-8160-01-6401-0000 in an amount not to exceed \$90.00 per cleaning with a total contract amount not to exceed budget.

Ü Vote Record - Town Board Resolution RES-2015-184						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-185

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scalera
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a 2015 Contract Extension with Winston Cleaning Services, Inc. for Public Bathroom Cleaning

WHEREAS, on February 12, 2014, pursuant to Resolution 2014-94, the Town of Southampton entered into contract with Winston Cleaning Services, Inc. for Public Bathroom Cleaning; and

WHEREAS, this contract expires on February 11, 2015, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Superintendent of Parks and Recreation recommends that the Town extend this contract to February 12, 2016, for the first extension; and

WHEREAS, the amount of this 2015 contract extension shall not exceed allocated budget for these purposes for 2015, without further authorization by the Town Board; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2015 first contract extension with Winston Cleaning Services, Inc. for Public Bathroom Cleaning; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding for this contract shall be G/L# 01-99-7110-01-6401-0000 Contracts for East Quogue and GL # ST-99-T002-50-6493-0000 Contracts for Bridgehampton in an amount not to exceed \$40.00 per cleaning.

Financial Impact:

The source of funding for this contract shall be G/L# 01-99-7110-01-6401-0000 Contracts for East Quogue and GL # ST-99-T002-50-6493-0000 Contracts for Bridgehampton in an amount not to exceed \$40.00 per cleaning.

Ü Vote Record - Town Board Resolution RES-2015-185						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-186

Category: Agreements, Contracts, Leases
Sponsors: Councilman Stan Glinka
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract with Friendly Bytes Software, Inc. to Continue to Provide Technical Assistance for the Meter System

WHEREAS, on February 11, 2014, pursuant to resolution 2014-224, the Town of Southampton on behalf of the Hampton Bays Water District entered into an agreement with Friendly Bytes Software, Inc. (Friendly Bytes), to provide training on the meter system that was installed; and

WHEREAS, technical issues arise from time to time and the Water District relies heavily upon the assistance of Friendly Bytes to provide technical assistance to continue the monitoring of the District's water usage through the meters; and

WHEREAS, the Hampton Bays Water District requests that this relationship continue until they have reached a full understanding of the error messages and codes associated with the software; and

WHEREAS, the cost to procure the services of Friendly Bytes shall not exceed \$2,000 and their contract shall remain in effect until February 15, 2016, with no further extensions; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton acting in their capacity as the Commissioners of the Hampton Bays Water District hereby authorize the Supervisor to execute a contract with Friendly Bytes Software, Inc. to Continue to Provide Technical Assistance for the Meter System, this contract shall be prepared by Contracts Compliance with an expiration date of February 15, 2016, this contract shall not exceed \$2,000, per the Town Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract.

Financial Impact:

The source of funding shall be Hampton Bays Water District Operations - Contracts G/L #SW-99-W081-62-6401-0000 in an amount not to exceed \$2,000.

Ü Vote Record - Town Board Resolution RES-2015-186						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-187

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract with Mesiano Consulting, Inc. for Grant Writing Assistance

WHEREAS, on August 8, 2013, pursuant to resolution 2014-288, the Town of Southampton entered into a contract with Mesiano Consulting, Inc., hereinafter (Mesiano) for Grant Writing Assistance; and

WHEREAS, Mesiano has successfully provided grant writing and research services to the Town for various projects; and

WHEREAS, the contract for Mesiano expired on December 31, 2014 and does not contain any extension clauses and therefore a new contract must be prepared; and

WHEREAS, the Town Comptroller recommends continuing the consulting services of Mesiano Consulting, Inc., which has the requisite professional background and skills necessary to assist in the completion of this task; and

WHEREAS, Mesiano Consulting Inc. has agreed to continue provide consulting services to the Town, the total contract amount shall not exceed \$15,000; and

WHEREAS, this contract shall commence upon receipt of a fully executed contract and shall be in effect for a term of one (1) year, the Town also reserves the right to extend this contract by formal resolution for two (2) additional, one (1) year terms if doing so is in the best interest of the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a consulting contract with Mesiano Consulting, Inc. for the aforementioned services in an amount not to exceed \$15,000.00 in accordance with rates set forth in resolution 2014-288; be it

FURTHER RESOLVED, that this contract shall be prepared by Contracts Compliance and shall be in effect for a term of one (1) year, the Town also reserves the right to extend this contract by formal resolution for two (2) additional, one (1) year terms if doing so is in the best interest of the Town and per the Town Comptroller's Office, no purchase order shall be issued and no payment shall be made without a fully executed contract.

The source of funding for this contract shall be Consutlant GL # 01-99-1315-01-6401-0000 in an amount not to exceed \$15,000.00 in accordance with rates set forth in resolution 2014-288.

Financial Impact:

The source of funding for this contract shall be Consultant GL # 01-99-1315-01-6401-0000 in an amount not to exceed \$15,000.00 in accordance with rates set forth in resolution 2014-288.

Ü Vote Record - Town Board Resolution RES-2015-187						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-188

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bender, Councilwoman Fleming
Department: Central Purchasing and Contracts Compliance

**Authorize the Supervisor to Execute Agreement(s) with the County of Suffolk DPW
for Traffic Signals in the Town of Southampton**

WHEREAS, the County of Suffolk installs traffic signals in the Town of Southampton and after installation the Town of Southampton becomes responsible for the maintenance and upkeep of these signals; and

WHEREAS, the County of Suffolk sends agreements to the Town requesting acceptance of the signal and acknowledgment of the continued maintenance of each signal to be executed by the Town Supervisor; and

WHEREAS, from time to time, additional features or equipment upgrades are added by the County of Suffolk, included but not limited to switches, detectors, emergency preemption devices and these additions also require acknowledgment from the Town in the form of a signature; and

WHEREAS, a new process has been developed whereby, when these agreements are received, the Transportation and Traffic Safety Director forwards a request to the Town's signal maintenance vendor to review and verify the upgrades were performed, prior to the Town Supervisor signing; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to Execute all agreements with the County of Suffolk DPW pertaining to traffic signal acquisitions, maintenance and upgrades and any other traffic signal related agreement received once confirmed; be it

FURTHER RESOLVED, that this resolution shall serve as authorization for each signature, after the review by Contracts Compliance, the Transportation and Traffic Safety Director, and the Town's signal maintenance vendor; be it

FURTHER RESOLVED, that there is no financial impact for signing these agreements.

Financial Impact:

NONE

Ü Vote Record - Town Board Resolution RES-2015-188						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-189

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute an Amendment to Stewardship Agreement with Friends of the Big Duck for the Continued Reconstruction and Maintenance of the Structure Known as the Victorian Barn

WHEREAS, on May 28, 2014, pursuant to resolution 2014-470, the Town of Southampton entered into a stewardship agreement with the Friends of the Big Duck to Assist in the Stewardship of the Area Immediately Adjacent to the Big Duck, which now includes the restored Victorian Barn; and

WHEREAS, a donation was received from the family of Martin R. Maurer, Sr. for the continued Reconstruction and Maintenance of the Structure Known as the Victorian Barn; and

WHEREAS, the donor also requested a plaque be created and installed recognizing the donor, "The Family of Martin R. Maurer, Sr."; and

WHEREAS, since the Friends of the Big Duck are already the stewards of this area, the Town will amend the existing stewardship agreement to include Reconstruction and Maintenance of the Structure Known as the Victorian Barn, as well as language to include the creation and installation of the requested plaque in accordance with the Donation Agreement dated September 19, 2014; now therefore, be it

RESOLVED, the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an amendment to the Stewardship Agreement with the Friends of the Big Duck dated May 28, 2014 to include the Reconstruction and Maintenance of the Structure known as the Victorian Barn and for the creation and installation of the requested plaque; and be it

FURTHER RESOLVED, that the amendment to the Stewardship Agreement shall include the transfer of the Maurer donation amount of \$10,000 plus any applicable interest gained while this money has been deposited with the Town, to be used solely for the reconstruction and maintenance of the Victorian Barn, this amendment shall be prepared by Contracts Compliance and per the Town Comptroller, no purchase order shall be created and no payment made without a fully executed agreement.

The source of funding for this amendment is Big Duck Donations - Other R1-99-R050-00-6420-0000 in an amount of \$10,000 plus any applicable interest gained while this money has been deposited.

Financial Impact:

The source of funding for this amendment is Big Duck Donations - Other R1-99-R050-00-6420-0000 in an amount of \$10,000 plus any applicable interest gained while this money has been deposited

Ü Vote Record - Town Board Resolution RES-2015-189						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-190

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute Nondisclosure Agreements Pertaining to Town Audits

WHEREAS, the Town is currently in the stages of having audits performed for year ending 2014 and in doing so, the Town Auditors are requesting documents from companies that the Town is under contract with; and

WHEREAS, in response to the auditor's request, the companies are requesting nondisclosure agreements be executed to protect their proprietary information; and

WHEREAS, since these agreements are only requested sporadically, it is difficult to ascertain what company or how often these nondisclosure agreements must be executed; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute any and all Nondisclosure agreements with companies requesting same as result of the Town's auditors request for possible proprietary information; be it

FURTHER RESOLVED, that each and every nondisclosure agreement will be reviewed by both Contracts Compliance and the Town Attorney's Office prior to the Supervisor affixing her signature; be it

FURTHER RESOLVED, that there is no financial impact for signing these agreements.

Financial Impact:

NONE

Ū Vote Record - Town Board Resolution RES-2015-190						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-191

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Central Purchasing and Contracts Compliance

Reject Bids Bids Received from Second Notice to Bidders for Dredging for Tiana Beach Emergency Levee Construction

WHEREAS, on November 20, 2014, the Town Board of the Town of Southampton by Resolution Number 2014-1189, authorized and directed the Town Clerk to advertise a Second Notice to Bidders for Dredging for Tiana Beach Emergency Levee Construction; and

WHEREAS, on December 10, 2014 at 2:00 p.m., all bids were opened and read aloud; and

WHEREAS, two (2) bids were received by the due date; and

WHEREAS, the bids were reviewed by the Town Departments Overseeing this project and it was determined that the bids were all over budget; and

WHEREAS, the Town of Southampton reserves the right to reject any and all bids as not being in the best interest of the Town; now therefore, be it

RESOLVED, that based upon the recommendation of the Town Departments Overseeing this project, the Town Board of the Town of Southampton hereby rejects the bids received from the Second Notice to Bidders for Dredging for Tiana Beach Emergency Levee Construction, as not being in the best interest of the Town; be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby authorizes and directs the Town Clerk to return any and all bid securities on file for this bid, as the Town has proceeded in a different manner utilizing an existing contract.

Financial Impact:

NONE

Ū Vote Record - Town Board Resolution RES-2015-191						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-192

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bender, Councilwoman Fleming
Department: Central Purchasing and Contracts Compliance

Reject Proposals for Solar Generator Planning in the Town of Southampton and Recommended Installation Areas of Town Owned Facilities

WHEREAS, on September 9, 2014, the Town Board of the Town of Southampton by Resolution Number 2014-950, authorized and directed the Town Clerk to advertise a Request for Proposals for Solar Generator Planning in the Town of Southampton and Recommended Installation Areas of Town Owned Facilities; and

WHEREAS, on October 22, 2014 at 2:00 p.m., all proposals were returned; and

WHEREAS, the proposals were reviewed by the Director of Municipal Works and it was determined that the bids were all over budget; and

WHEREAS, the Town of Southampton reserves the right to reject any and all bids as not being in the best interest of the Town; now therefore, be it

RESOLVED, that based upon the recommendation of the Director of Municipal Works, the Town Board of the Town of Southampton hereby rejects the proposals received for Solar Generator Planning in the Town of Southampton and Recommended Installation Areas of Town Owned Facilities, as not being in the best interest of the Town; be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby authorizes and directs the Town Clerk to return any and all bid securities on file for this bid, and consider this matter closed.

Financial Impact:

NONE

Ü Vote Record - Town Board Resolution RES-2015-192						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended						
.. Defeated	Bradley Bender	..	..	..	..
.. Tabled	Christine Preston Scalera	..	..	..	..
.. Withdrawn	Bridget Fleming	..	..	..	..
.. Failed To Move	Stan Glinka	..	..	..	..

Town Board Resolution 2015-193

Category: Bidding
Sponsors: Councilwoman Bridget Fleming
Department: Central Purchasing and Contracts Compliance

2015 Notice to Bidders for Asbestos Abatement at 49 West Tiana Road

RESOLVED, as per the request of the Office of Community Preservation, that the Town Clerk be and hereby is authorized to advertise for public bid as per the following:

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received by the Town Clerk, Southampton Town Hall, on Wednesday, March 18, 2015 at 2:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

2015 Asbestos Abatement at 49 West Tiana Road

Specifications are available beginning on Thursday, February 19, 2015 at 8:30 a.m. online at <http://bids.southamptontownny.gov/Default.aspx> or in person at the Town Clerk's Office, 116 Hampton Road, Southampton between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, (except Holidays). These specifications have met with the approval of Central Purchasing and Contracts Compliance.

Bidders interested in this project are REQUIRED to visit www.labor.state.ny.us, wage schedules & updates, original wage schedule, search for your original wage schedule and enter the PRC# 2015001012 to view the original prevailing wage schedule. Employees under this title must be paid the wage rate(s) indicated on this schedule. The winning vendor(s) will be provided an original wage schedule with their contract.

Each bidder must provide with its bid a certified check equal to five (5) percent of his/her total bid payable to the order of the Town of Southampton, or a bond with sufficient sureties, acceptable to the Town of Southampton, in the sum of five (5) percent of the bid. All checks or bonds shall be returned except to the successful bidder, whose security shall be held until contract security is provided, according to the requirements set forth in the bid package.

A pre-bid walk-thru will be held at 10:00 a.m. on February 26, 2015 at 49 West Tiana Road, Hampton Bays, New York.

Each proposal must be submitted in a sealed envelope clearly marked "**2015 Asbestos Abatement at 49 West Tiana Road.**" Bidders must comply with all Federal, State, and local laws.

The Town Board of the Town of Southampton reserves the right to waive any informalities in bids received, and/or reject any or all bids.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

The source of funding shall be Property Stewardship G/L # 31-99-1940-31-6442-0000 in an amount not to exceed budget.

Ü Vote Record - Town Board Resolution RES-2015-193						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-194

Category: Legal Actions
Sponsors: Supervisor Anna Throne-Holst
Department: Town Attorney

Town Board to Retain Devitt Spellman Barrett LLP to Represent and Defend the Town in the Matter of 545 Halsey Lane Properties LLC v Town of Southampton

RESOLVED, that the Town Board of the Town of Southampton hereby retains the firm of Devitt Spellman Barrett LLP to represent and defend the Town of Southampton in the matter of Robert Austin and 545 Halsey Lane Properties LLC v Town of Southampton brought in the Supreme Court under Index No. 2014-71136 at a cost for 2015 not to exceed \$10,000. The source of funding shall be Town Attorney- Legal Fees, G/L No. 01-99-01-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney - Legal Fees G/L #01-99-1420-01-6430-0000 at a cost not to exceed \$10,000.00

Ü Vote Record - Town Board Resolution RES-2015-194						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-195

Category: Local Laws
Sponsors: Supervisor Anna Throne-Holst
Department: Town Attorney

Notice of Adoption: Chapter 8 (Budget) Reservation of Fund Balances

WHEREAS, the Town Board of the Town of Southampton is considering amending Chapter 8 (BUDGET) in order to re-structure the Town's fund balance policy; and

WHEREAS, a public hearing was held on February 3, 2015, at which time all persons wither for or against the enactment were heard; and

WHEREAS, the proposed amendment to Chapter 8 of the Southampton Town Code is a Type II Action pursuant to the New York State Quality Review Act (SEQRA) and Chapter 157 of

the Southampton Town Code and that no further environmental review is necessary; now therefore be it

RESOLVED, that Local Law No. is hereby adopted which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending Town Code Chapter 8 (Budget) to re-structure the Town's fund balance policy.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Town Board of the Town of Southampton recognizes that the continued maintenance of fund balance is essential to the preservation of the financial integrity of the Town and is fiscally advantageous for both the Town and the taxpayer in that it helps mitigate current and future risks and assists in ensuring stable tax rates. This amendment would continue to establish needed goals and provide guidance as it relates to the desired level of year-end fund balances to be maintained by the Town.

The Southampton Town Board remains committed to maintaining the Town's financial policies in order to reinforce the Town's financial position and stability. It is the intent of this Local Law to continue to protect surplus resources now and in the future in conformance with New York State Law. As part of an overall policy of strengthening the Town's financial position, the Town Board has determined that the changes in the Town's fund balance policy, in addition to the implementation of the "pay as you go" policy and the commitment to reducing the Town's outstanding debt, that this local law further ensure the financial stability of the Town.

Year-end surpluses and fund balances are monies that can provide a mechanism that may be needed from time to time to operate without interruption, reduction in services or staffing levels. These fund balances provide a degree of stability and the resources to weather fluctuations in revenues and expenditures, without severely impacting property tax rates. Fund balances and adequate reserves should be managed and reviewed on a regular basis.

The Town faces significant pressure on the expenditure side of its budget (and therefore also on its reserves) and has restricted itself from raising the overall property tax rate more than 5% annually, together with a requirement for a reserve for tax stabilization and contingency reserve. In addition, New York State has instituted a two percent (2%) annual tax cap that requires a super majority to pierce such a cap, which expires in 2015.

In recognition of sound fiscal policy and in order to stabilize and preserve the current credit rating of the Town, the Town Board affirms its commitment to make all reasonable efforts to maintain a fund balance in its General Fund at the end of each fiscal year equal to no less than 10% of the total respective ensuing year's operating budget, plus maintain at least 7% of the unallocated fund balance, for a total of 17%. Such fund balance will be inclusive of the reserve for tax stabilization purposes pursuant to Chapter 8 of the Southampton Town Code.

For all other funds and the part-town operating funds, as permitted by law, the Town Board believes that the lower percentage of 7% of the total ensuing year's operating threshold is adequate. Such funds are reliant on property taxes and are less volatile in terms of revenue projections and therefore a lesser fund balance is adequate for purposes of retaining the Town's sound financial position.

SECTION 2. Amendment.

Section 8-5 (Designation of fund balances) of Town Code Chapter 8 (Budget) is hereby amended by deleting the stricken words and adding the underlined words as follows:

§8-5. Designation of Fund Balances.

The Town Board by resolution shall establish a contingency and tax stabilization reserve within the Town of Southampton's total operating budget. This reserve is intended to protect and preserve the future financial status and stability of the Town of Southampton.

- A. The Comptroller is hereby directed to restrict an amount equal to ~~47~~ 10% of the total respective ensuing year's general fund operating budget, plus maintain at least 7% of the unallocated fund balance consistent with Section 8-5(B) below, for a total of 17%.
- B. The Comptroller shall restrict this required 10 % from any budgetary appropriation or surplus revenues as are not otherwise designated by law to other hinds or accounts. The Comptroller is hereby directed to ~~restrict~~ maintain unallocated fund balance of at least an amount equal to 7% of the total respective ensuing year's budgets for each allowable fund of the special district, enterprise funds and part-town operating funds. Beach Erosion Control Districts shall be exempt from this provision.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §§10(1)(ii)(a)(1) and 10(1)(ii)(d)(3).

SECTION 4. Severability.

If any section or subdivision, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after a public hearing was held by the Town Board of the Town Board of the Town of Southampton on February 3, 2015 at 6:00 p.m., the Town Board of the Town of Southampton adopted Local Law No. of 2015, entitled: "A LOCAL LAW amending Town Code Chapter 8 (Budget) to re-structure the Town's fund balance policy."

Summary of Local Law

This legislation is intended to provide for the re-structuring of the Town's fund balance policy in order to require 10% of the total respective ensuing year's general fund operating budget, plus maintain at least 7% of the unallocated fund balance for a total of 17%.

Copies of the adopted local law, sponsored by Supervisor Anna Throne-Holst are on file in the office of the Town Clerk, Monday through Friday, from 8:30 A.M. TO 4:00 P.M.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

none

Ü Vote Record - Town Board Resolution RES-2015-195						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-196

Category: Local Laws
Sponsors: Councilwoman Fleming, Councilwoman Scalera
Department: Town Attorney

Resolution Adopting Amendments to Town Code Section 140-4 to Add an Additional Ex-Officio Member to the Community Preservation Fund Advisory Board

WHEREAS, the Town Board is considering amending Town Code §140-4 to add an additional ex-officio member to the Community Preservation Fund Advisory Board; and

WHEREAS, a public hearing was held on February 10, 2015, at which time all persons either for or against said amendment were heard; and

WHEREAS, the Department of Land Management has advised the Town Board that this proposed local law is considered a "Type II Action" under 6 NYCRR Part 617.5, provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code, and that no further review under New York Conservation Law, Article 8, is necessary; now therefore be it

RESOLVED, that Local Law No. ____ of 2015 is hereby adopted as follows:

LOCAL LAW NO. ____ OF 2015

A LOCAL LAW amending Town Code Section 140-4 to add an additional ex-officio member to the Community Preservation Fund Advisory Board.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Community Preservation Fund Advisory Board acts in an advisory capacity to the Town Board and reviews and makes recommendations on proposed acquisitions of interests in

real property using monies from the Community Preservation Fund. It is the intent of this local law to add an additional ex-officio member to the Board.

SECTION 2. Amendment.

§140-4. Advisory Board established. [Amended 4-8-2003 by L.L. No. 34-2003; 3-25-2008 by L.L. No. 17-2008]

B. Such Board shall consist of seven members who shall be residents of the Town and who shall serve without compensation. In addition to the seven members, the Town Board shall appoint ~~three~~ four ex-officio members to serve at the pleasure of the Town Board, which may include representatives of environmental conservation organizations or estate planning/conservation planning entities. No member of the Town Board shall serve on the Advisory Board.

SECTION 3. Authority.

This amendment is enacted pursuant to New York State Town Law §64-e(5) and Municipal Home Rule Law §10.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This Local Law shall take effect upon filing in the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after a public hearing was held by the Town Board of the Town of Southampton on February 10, 2015, the Town Board, at its meeting of February 10, 2015, adopted LOCAL LAW NO. ___ of 2015, as follow: "A LOCAL LAW amending Town Code Section 140-4 to add an additional ex-officio member to the Community Preservation Fund Advisory Board."

Summary of Proposed Law

This amendment increases the number of ex-officio members of the Community Preservation Fund Advisory Board from three to four.

Copies of the proposed local law, sponsored by Councilwoman Bridget Fleming and Councilwoman Christine Scalera, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None.

Ü Vote Record - Town Board Resolution RES-2015-196						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-197

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Clerk

Authorization of Road Closures and Cost Reimbursement Waiver for the Hampton Bays Fire Department "Parade" on July 29, 2015 from 6:00 P.M. to 9:00 P.M.

WHEREAS, the Hampton Bays Fire Department has been approved by the Southampton Town Police Department for a Parade Permit for a "Parade" to be held on July 29, 2015, from 6:00 p.m. to 9:00 p.m. beginning at the Hampton Bays Middle School and ending at the Hampton Bays Fire Department; and

WHEREAS, the Southampton Town Police Department has issued a report dated October 15, 2014 with regards to the requested road closures for this event, and also has issued a Financial Impact Statement for police services of sixteen to twenty Police and Traffic Control Officers during the event, impacting Town Police - Part Time Salaries G/L #02-99-3120-02-6105-0000, Town Police - Salaries G/L #02-99-3120-02-6100-0000 and Town Police - Overtime G/L #02-99-3120-02-6101-0000; and

WHEREAS, the Hampton Bays Fire Department have submitted a request for a waiver of the Police Department cost reimbursement to the Southampton Town Board, pursuant to §283-3B of the Town Code; and

WHEREAS, the event is open to the public for their enjoyment and held on public property with no admission charge; now therefore be it hereby

RESOLVED, that the Town Board hereby approves the waiver of the estimated police costs as requested by the Hampton Bays Fire Department; and

BE IT FURTHER RESOLVED, that the Town Board hereby approves the road closures submitted by the Southampton Town Police Department for the Hampton Bays Fire Department "Parade" to be held on July 29, 2015 from 6:00 p.m. to 9:00 p.m. beginning at the Hampton Bays Middle School and ending at the Hampton Bays Fire Department as listed below, pursuant to §283-4A:

1. Ponquogue Avenue will be closed to vehicular traffic from Lynnclyff Avenue to Montauk Highway from 6:30 p.m. to 9:00 p.m. on July 29, 2015;
2. Montauk Highway will be closed to vehicular traffic from Bittersweet South Ext. to Flanders Road from 6:30 p.m. to 9:00 p.m. on July 29, 2015;

3. Springville Road will be closed to vehicular traffic from Shore Road to Montauk Highway from 6:30 p.m. to 9:00 p.m. on July 29, 2015;
4. Squiretown Road will be closed to vehicular traffic from Old Riverhead Road to Montauk Highway from 6:30 p.m. to 9:00 p.m. on July 29, 2015.

Financial Impact:

The source of funding is Police Department - Part Time Salaries G/L #02-99-3120-02-6105-0000 \$1,400.00, Police Department - Salaries G/L #02-99-3120-02-6100-0000 \$600.00 and Police Department - Overtime G/L #02-99-3120-02-6101-0000 \$1,200.00 for an estimated cost of \$3,200.00.

Ü Vote Record - Town Board Resolution RES-2015-197						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-198

Category: Performance & Maintenance Bonds
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Attorney

**Resolution Accepting A Performance / Maintenance Bond in Connection with the
 Site Plan Approval of Hampton Business District Phase One (Gabreski Airport
 PDD), Westhampton**

RESOLVED, that the Performance Bond Agreement with 220 Roger's HBD, LLC as "Principal" and official bank check from M&T Bank, in the name of the Town of Southampton, in the amount of \$45,000.00 (Check No. 101325744) submitted to guarantee the completion of certain work including the instillation of six additional Amelanchier Canadensis adjacent to the traffic circle, the jogging path and the seeded lawn as specified by resolution of the Planning Board of the Town of Southampton, adopted December 18, 2014, in connection with the site plan of Hampton Business District (Gabreski APDD), situate at Westhampton, be and hereby is ACCEPTED; and be it further

RESOLVED, that the Maintenance Bond Agreement with 220 Roger's HBD, LLC as "Principal" and official bank check from M&T Bank, in the name of the Town of Southampton, in the amount of \$57,000.00 (Check No. 101325743) submitted to guarantee the upkeep and workmanship and materials as specified by resolution of the Planning Board of the Town of Southampton, adopted December 18, 2014, in connection with the site plan of Hampton Business District (Gabreski APDD), situate at Westh.ampton, be and hereby is ACCEPTED.

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-198					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move					

Town Board Resolution 2015-199

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

2015 Part-Time Employee Salaries

WHEREAS, the Town of Southampton 2015 Final Adopted Budget includes salaries for part-time employees; now, therefore, be it

RESOLVED that the Town Board of the Town of Southampton hereby sets the hourly rate of the following part-time employees effective January 1, 2015 through December 31, 2015:

<u>Name</u>	<u>Title</u>	<u>GL Code</u>	<u>2015 Hourly Rate</u>
William Peck	Custodian	1620	\$11.00
Nicholas DiBari	Bay Constable	3121	\$22.00
Stephen Gregory	Hampton Bays Water District	W081	\$15.00
Luci Brocki	Community Service Aide	6772	\$19.00
Thomas Poole	Custodial Aide	6772	\$12.00
Ricard Rozycki	Sanitation Helper	8161	\$10.00
Tracy Martin	Detention Attendant	3150	\$13.00
Barbara Duffy	Detention Attendant	3150	\$13.00
Susan Sinclair	Detention Attendant	3150	\$13.00
Regina Dizinno	Detention Attendant	3150	\$13.00
Brea Hall	Detention Attendant	3150	\$13.00
Christian Guillemin	Detention Attendant	3150	\$13.00
Nicole Noa	Detention Attendant	3150	\$13.00
Lurdes Bonilla Reyes	Detention Attendant	3150	\$13.00
Denise Equinda	Detention Attendant	3150	\$13.00
Samantha Costello	Detention Attendant	3150	\$13.00
Cherise Myrick	School Crossing Guard	3120	\$11.00
Daniel Brecht	School Crossing Guard	3120	\$11.00
Alyssa Clancy	School Crossing Guard	3120	\$11.00
Andrea Jivanelli	School Crossing Guard	3120	\$11.00
Jessy Modonado	School Crossing Guard	3120	\$11.00
Barbara Mamay	School Crossing Guard	3120	\$11.00
Kelly Hardy	School Crossing Guard	3120	\$11.00
Jesse Hubbard	School Crossing Guard	3120	\$11.00

Joan Evans	School Crossing Guard	3120	\$11.00
Liana Forseth	School Crossing Guard	3120	\$11.00
Kathleen Hallock	School Crossing Guard	3120	\$11.00
Audrey Cagno	School Crossing Guard	3120	\$11.00
Alexandra Elasiak	School Crossing Guard	3120	\$11.00
Robert Zeluff	Custodial Worker I	6772	\$12.00
Martin Albanese	Custodial Worker I	6772	\$12.00
Kathleen Giudice	Senior Citizen Aide I	6055	\$13.56
James Hanna	Minibus Driver	5630	\$13.56
Thomas Jones	Minibus Driver	5630	\$13.56
Mark Murphy	Minibus Driver	5630	\$13.56
Terrence Mahoney	Minibus Driver	5630	\$13.56
David Banks	P/T Police Officer	3120	\$21.00
Eugene Lafurno	P/T Police Officer	3120	\$21.00
William Gladding	P/T Police Officer	3120	\$21.00
Scott Frankenbach	P/T Police Officer	3120	\$21.00
Daniel Concannon	P/T Police Officer	3120	\$22.00
Taras Brativnyk	P/T Police Officer	3120	\$21.00
Richard Benkov	P/T Police Officer	3120	\$22.00
Jonathan Parsons	P/T Police Officer	3120	\$22.00
Jonathan Landrio	P/T Police Officer	3120	\$22.00
Anthony Schmidt	P/T Police Officer	3120	\$22.00
Richard Spera	P/T Police Officer	3120	\$22.00
William Padeletti	P/T Police Officer	3120	\$22.00
Jude Petroski	P/T Police Officer	3120	\$22.00
Edward McIntyre	P/T Police Officer	3120	\$21.00

Financial Impact:

None, as provided in 2015 Adopted Budget

Ü Vote Record - Town Board Resolution RES-2015-199						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-200

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Appoint Donald Downs to Automotive Mechanic III Position in Municipal Works

WHEREAS, the 2015 Adopted Budget provides for a full time position of Automotive Mechanic III in Municipal Works; therefore be it

RESOLVED, the position of Automotive Mechanic II be and hereby is eliminated in the Central Garage, effective February 1, 2015; and be it

RESOLVED, the position of Automotive Mechanic III be and hereby is created in the Central Garage, 40 hours, grade G, effective February 1, 2015; and be it further

RESOLVED, based on recommendation of the Director of Municipal Works, Donald Downs be and hereby is upgraded and appointed to fill the position of Automotive Mechanic III in the Central Garage , 40 hours, grade G, effective February 1, 2015; and be it further

RESOLVED, this position is budgeted for and will be funded through the cost center #1640 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

None, as provided in the 2015 Adopted Budget.

Ü Vote Record - Town Board Resolution RES-2015-200						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-201

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Appoint Ryan Abrahamsen to Public Safety Dispatcher I Position in Southampton Town Police Department

WHEREAS, the position of Public Safety Dispatcher I in the Southampton Town Police Department became vacant on November 30, 2014 due to a resignation; and

WHEREAS, the Town Board adopted Resolutions 2014-1225 which authorized the replacement of the Public Safety Dispatcher I position in the Town of Southampton Police Communications Department; therefore be it

RESOLVED, based on the recommendation of the Chief of Police, Ryan Abrahamsen be and hereby is and appointed from the Suffolk County Department of Civil Service Certification of Eligibles No.14EL428, subject to all applicable Civil Service Requirements, to fill the vacant position of Public Safety Dispatcher I position in the Southampton Town Police Communications Department, effective on or after February 26, 2015; and be it further

RESOLVED, this position is budgeted for and will be funded through the E-911 Salaries Cost Center #3020 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

To be determined by Comptroller.

Ü Vote Record - Town Board Resolution RES-2015-201						
			Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst		..	..	..	..
.. Adopted as Amended	Bradley Bender		..	..	..	..
.. Defeated	Christine Preston Scalera		..	..	..	..
.. Tabled	Bridget Fleming		..	..	..	..
.. Withdrawn	Stan Glinka		..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-202

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Appoint Stephen McLaughlin to Public Safety Dispatcher I Position in Southampton Town Police Department

WHEREAS, the position of Public Safety Dispatcher I in the Southampton Town Police Department became vacant on December 2, 2014 due to a resignation; and

WHEREAS, the Town Board adopted Resolutions 2014-1294 which authorized the replacement of the Public Safety Dispatcher I position in the Town of Southampton Police Communications Department; therefore be it

RESOLVED, based on the recommendation of the Chief of Police, Stephen McLaughlin be and hereby is and appointed from the Suffolk County Department of Civil Service Certification of Eligibles No.14EL428, subject to all applicable Civil Service Requirements, to fill the vacant position of Public Safety Dispatcher I position in the Southampton Town Police Communications Department, effective on or after February 26, 2015; and be it further

RESOLVED, this position is budgeted for and will be funded through the E-911 Salaries Cost Center #3020 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

To be determined by Comptroller.

Ü Vote Record - Town Board Resolution RES-2015-202						
			Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst		..	..	..	..
.. Adopted as Amended	Bradley Bender		..	..	..	..
.. Defeated	Christine Preston Scalera		..	..	..	..
.. Tabled	Bridget Fleming		..	..	..	..
.. Withdrawn	Stan Glinka		..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-203

Category: Personnel
Sponsors: Councilwoman Fleming, Councilman Glinka
Department: Justice Court

Authorize Drug Court Judge to Attend the Association of Drug Court Judicial Training Conference

WHEREAS, the Association of Drug Court Judicial Training Conference is holding a conference in Reno, Nevada; and

WHEREAS, the East End Regional Intervention Drug Court Judge, Hon. Deborah Kooperstein, Will be attending this conference in Reno, Nevada from March 16th through March 19th, 2015; and

WHEREAS, it is the Town of Southampton's practice to reimburse officials who attend the New York Association of Drug Court Treatment Professional's annual meetings for the registration fee, travel, food and lodging; be it

RESOLVED, the Town Board authorizes reimbursement to the Drug Court personnel for the above-listed approved expenses, not to exceed \$2500.00; and be it further

RESOLVED, these expenses shall be funded through Justice Court - Drug Court Expenses Account G/L #01-99-1110-01-6428-0000.

Financial Impact:

The source of funding shall be Justice Court - Drug Court Expense Account G/L #01-99-1110-01-6428-0000 in an amount not to exceed \$ 2500.00

Ü Vote Record - Town Board Resolution RES-2015-203						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-204

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: General Services

Authorize Personnel from Town Comptroller's Office and Business Management Office to Attend NYS GFOA 2015 Annual Conference

WHEREAS, the Government Finance Officers' Association (GFOA) is holding its annual conference to update municipalities on the current changes implementations, and other governmental matters; and

WHEREAS, it is imperative the Town of Southampton remain current on all governmental changes and requirements; and

WHEREAS, this meeting is held in Albany, New York from March 25th - March 27th, 2015 and the following personnel from the Business Management Office, Town Comptroller's Office will be attending:

Leonard Marchese, Town Comptroller
Dorota Godlewski, Deputy Town Comptroller
Russell Kratoville, Town Management Services Administrator

Now therefore be it;

RESOLVED, the Town Board authorizes personnel from the Town Comptroller's Office and Business Management Office to attend the NYS GFOA Annual Conference, which is scheduled from March 25th - March 27th, 2015, for an amount not to exceed budget; and be it further

RESOLVED, the source of funding is as follows:

G/L 01-99-1610-01-6416-0000 General Services Travel dues and related
G/L 01-99-1610-01-6450-0000 General Services Schools and Training
G/L 01-99-1315-01-6450-0000 Finance Schools and Training
G/L 01-99-1315-01-6416-0000 Finance Travel dues and related.

Financial Impact:

Source of funding, Not to exceed budget, is as follows:

G/L 01-99-1610-01-6416-0000 General Services Travel dues and related
G/L 01-99-1610-01-6450-0000 General Services Schools and Training
G/L 01-99-1315-01-6450-0000 Finance Schools and Training
G/L 01-99-1315-01-6416-0000 Finance Travel dues and related.

Ü Vote Record - Town Board Resolution RES-2015-204						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-205

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Carry Over Vacation Requests from 2014 to 2015

WHEREAS, the CSEA contract states, "For good cause shown, and upon approval of the department head and the Town Board, an employee shall be permitted to accrue ten (10) days vacation time in any calendar year, applicable only in the ensuing calendar year. Employees planning to retire may carry over up to thirty (30) days of accrued vacation in their last year of employment, otherwise, employees are limited to ten (10) days per year carry over"; and

WHEREAS, the following employees were unable to utilize all of their vacation time in 2014, and their Department Heads have submitted to Human Resources requests that the employees be permitted to carry over vacation time according to the above-referenced limits, subject to Town Board approval:

Kenneth Glogg	Investigations Unit	Senior Town Investigator	20 hours
Kathleen Dineen	Police Communications	Safety Dispatcher I	80 hours
Matthew O'Connor	Police Communications	Safety Dispatcher I	8 hours
June Siegfried	Police Communications	Public Safety Dispatcher II	8 hours
James Gormley	Geographic Information Systems	Assistant Cartographer	11.75 hours (additional)

NOW, THEREFORE, BE IT RESOLVED, based on the recommendation of their respective Department Heads, the Southampton Town Board authorizes these individuals to carry over the vacation time specified on the list above into 2015, to be used in 2015.

Financial Impact:

None.

Ü Vote Record - Town Board Resolution RES-2015-205						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-206

Category: Public Hearings
Sponsors: Supervisor Anna Throne-Holst
Department: Long Range Planning

Notice of Public Hearing to Change the Zoning Classification of Certain Parcels Identified as SCTM No's 900-158-3-4, 5 and 6 from Highway Business (HB), to Shopping Center Business (SCB), and a Portion of a Fourth Parcel Identified as SCTM No. 900-158-3-19 which Adjoins the Northeasterly Side of Magee Street from Residential (R-20) to Shopping Center Business (SCB) in the Hamlet of Tuckahoe

WHEREAS, on July 5, 2012, the Town Board of the Town of Southampton received a Change of Zone application entitled "Tuckahoe Center"; and

WHEREAS, the proposal seeks to rezone (i) three adjoining properties along the

southeasterly side of Country Road 39 in the Hamlet of Tuckahoe (SCTM No's 900-158-3-4, 5 and 6), from Highway Business (HB), to Shopping Center Business (SCB), and (ii) a portion of a fourth parcel (SCTM No. 900-158-3-19) which adjoins the northeasterly side of Magee Street in the Hamlet of Tuckahoe, from Residential (R-20) to Shopping Center Business (SCB); and

WHEREAS, the proposed SCB zone would encompass a total of 7.2569 acres and would facilitate redevelopment of the site to construct a 40,000 square-foot supermarket, an 8,400 square-foot building and a 6,600 square-foot building for supporting retail and commercial uses and a 3,500 square-foot bank with 217 proposed parking spaces and a 46,488 sq. ft. access easement as shown on the Proposed Concept Plan of Tuckahoe Center, prepared by The Raynor Group dated February 3, 2012 and last revised July 2, 2012; and

WHEREAS, the proposed Change of Zone is a Type I Action pursuant to the State Environmental Quality Review, and the regulating provisions of 6 NYCRR Part 617; and

WHEREAS, on October 23, 2012, by Resolution No. 1052 of 2012, the Town Board adopted a Positive Declaration pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code for this change of zone application; and

WHEREAS, after public scoping was conducted, on January 22, 2013 by Resolution No. 2013-132, the Town Board issued a final written scope for the purposes of preparing a DEIS; and

WHEREAS, on October 1, 2014, the Town Clerk received a Draft Environmental Impact Statement (DEIS) from the applicant; and

WHEREAS, on December 18, 2014, by Resolution No. 2014-1364 the Town Board deemed the DEIS adequate for public review; now, therefore,

BE IT RESOLVED, the Town Board hereby directs that a public hearing shall be held on March 3, 2015 at 6:00 p.m., at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW to change the zoning classification of certain parcels identified as SCTM No's 900-158-3-4, 5 and 6 from Highway Business (HB), to Shopping Center Business (SCB), and a portion of a fourth parcel identified as SCTM No. 900-158-3-19 which adjoins the northeasterly side of Magee Street from Residential (R-20) to Shopping Center Business (SCB) in the Hamlet of Tuckahoe."

LOCAL LAW NO. OF 2015

A LOCAL LAW to change the zoning classification of certain parcels identified as SCTM No's 900-158-3-4, 5 and 6 from Highway Business (HB), to Shopping Center Business (SCB), and a portion of a fourth parcel identified as SCTM No. 900-158-3-19 which adjoins the northeasterly side of Magee Street from Residential (R-20) to Shopping Center Business (SCB) in the Hamlet of Tuckahoe"

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Findings.

Pursuant to Chapter 330, Section 185, a petition has been received requesting a change in the zoning classification of certain parcels identified as SCTM No's 900-158-3-4, 5 and 6 from Highway Business (HB), to Shopping Center Business (SCB), and a portion of a fourth

parcel identified as SCTM No. 900-158-3-19 which adjoins the northeasterly side of Magee Street from Residential (R-20) to Shopping Center Business (SCB) in the Hamlet of Tuckahoe. It is the intention of this Local Law to effectuate the aforementioned zone changes if the Town Board determines that this action is in the best interests of the Town.

SECTION 2. Amend the Zoning Map of the Town Code as follows:

Parcels identified as SCTM No's 900-158-3-4, 5 and 6 are hereby changed from Highway Business (HB), to Shopping Center Business (SCB), and a portion of a fourth parcel identified as SCTM No. 900-158-3-19 which adjoins the northeasterly side of Magee Street from Residential (R-20) to Shopping Center Business (SCB), in the Hamlet of Tuckahoe

SECTION 3. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. Effective Date.

This Local Law shall take effect upon the filing of this Local Law with the Secretary of State pursuant to the Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on **March 3, 2015 at 6:00 p.m.** at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW to change the zoning classification of certain parcels identified as SCTM No's 900-158-3-4, 5 and 6 from Highway Business (HB), to Shopping Center Business (SCB), and a portion of a fourth parcel identified as SCTM No. 900-158-3-19 which adjoins the northeasterly side of Magee Street from Residential (R-20) to Shopping Center Business (SCB) in the Hamlet of Tuckahoe"

Copies of the proposed local law sponsored by Supervisor Anna Throne-Holst are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-206						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-207

Category: Public Hearings
Sponsors: Supervisor Anna Throne-Holst
Department: Community Preservation

Notice of Public Hearing to Consider Amending Chapter 140 (Community Preservation Fund) of the Southampton Town Code to Update the Town of Southampton Community Preservation Project Plan

BE IT RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on March 10, 2015 at 1:00 p.m. at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW to amend Chapter 140 (Community Preservation Fund) of the Southampton Town Code to update the "Town of Southampton Community Preservation Project Plan," which provides as follows:

LOCAL LAW NO. _____ OF 2015

A LOCAL LAW to amend Chapter 140 (Community Preservation Fund) of the Southampton Town Code to update the "Town of Southampton Community Preservation Project Plan."

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

Pursuant to Town Law §64-e(6), the Town Board of the Town of Southampton shall, by local law, adopt a Community Preservation Project Plan, which shall be updated as prescribed. This local law seeks to, as a ministerial act, update the Project Plan to reflect the current year, 2015.

As described in the state-enabling legislation, a copy shall be filed with the Commissioner of Environmental Conservation, the Commissioner of Agriculture and Markets, and the Commissioner of the Office of Parks, Recreation and Historic Preservation. The Project Plan is available for public review and inspection in the Office of the Town Clerk, as well as the Community Preservation Office.

SECTION 2. Amendment.

Chapter 140 (Community Preservation Fund) of the Southampton Town Code is hereby amended by deleting the stricken words and adding the underlined words as follows:

§140-26. Community Preservation Project Plan adopted.

The Town Board of the Town of Southampton hereby approves and adopts the "Town of Southampton Community Preservation Project Plan ~~1998-2001-2010~~ 2015" prepared by the Town of Southampton Community Preservation Department and Department of Geographic Information Systems, said plan being intended to constitute the Community Preservation Project Plan, which is required by §64-e of the New York State Town Law and Article I of Chapter 140, Community Preservation Fund, of the Southampton Town Code.

SECTION 3. Legislative Authority.

This amendment is enacted pursuant to §64-e of the New York State Town Law and §10(1)(i) of the Municipal Home Rule Law.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provisions of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 5. Effective date.

This Local Law shall take effect upon its filing with the Secretary of State, pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on **March 10, 2015 at 1:00 p.m.** at Southampton Town Hall, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against a local law entitled: "A LOCAL LAW to amend Chapter 140 (Community Preservation Fund) of the Southampton Town Code to update the "Town of Southampton Community Preservation Project Plan."

Summary of Proposed Law

The Town Board of the Town of Southampton seeks to amend the Community Preservation Project Plan as provided for in Town Law §64-e(6) and Section 140-26 of Chapter 140 of the Southampton Town Code. No monies from the Community Preservation Fund may be expended for the acquisition of interests or rights in real property unless said properties are provided for in a plan adopted by the Town Board.

Copies of the proposed local law, sponsored by Supervisor Throne-Holst, as well as copies of the Community Preservation Project Plan, are available in the Office of the Town Clerk, Monday through Friday between the hours of 8:30 a.m. and 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-207						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-208

Category: Public Hearings
Sponsors: Councilwoman Fleming, Councilman Bender
Department: Town Attorney

Notice of Public Hearing to Consider Amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste) By Repealing the Provisions Therein and Replacing Chapter 205 In Its Entirety with A New Chapter 205 Entitled, "Waste Management"

RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on March 10, 2015, at 1:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled, "A LOCAL LAW amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, 'Waste Management,' " which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, "Waste Management."

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Town Board of the Town of Southampton seeks to update the current regulations contained in Town Code Chapter 205, which addresses the Town's landfills and transfer stations, to reflect both present practices as well as the requirements of Solid Waste Management within the Town of Southampton. In re-writing this chapter, the Town seeks to protect and promote the health, safety, and welfare of its residents by: (i) controlling the storage and disposal of solid waste generated within the Town, (ii) implementing the Town of Southampton Solid Waste Management Plan, (iii) complying with the requirements and furthering the purposes of the New York State Solid Waste Management Act, and (iv) protecting the surface waters and drinking water supply in the Town of Southampton. To that end, the Town Board finds that increased efforts to recover and reuse recyclable materials will also protect and enhance the Town's physical environment while promoting the health and safety of persons and property herein.

The new provisions proposed seek not only to facilitate the implementation and operation of an environmentally sound solid waste management program and the conservation of natural

resources, but to promote the recovery of materials from the Town's solid waste stream for the purpose of recycling such materials through source separation. In furtherance of this effort, and recognizing its import, the Town Board seeks to encourage recycling opportunities for residential, nonresidential, commercial, industrial, and institutional establishments.

In addition, the Board finds it necessary to introduce the requirement of a carter license and permit for those refuse haulers or carters who are engaged in the business of collection, pick-up, transfer, removal, and/or the disposal of solid waste and/or recyclables within the Town. While a fee is being charged, it is not the primary purpose of the license. Rather, by requiring basic disposal information within the permit, the Town, and in particular, the Department of Waste Management, can better monitor and track, and thus, more effectively develop policy with an improved understanding of the needs and best interest of the Southampton Community.

SECTION 2. Amendment.

Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), is hereby amended by deleting the stricken words as follows:

Chapter 205

~~Landfills, Transfer Stations and Scavenger Waste~~

~~Article I. Sanitary Landfill Stations and Garbage Transfer Stations~~

~~§205-1. Applicability.~~

~~The rules and regulations of this chapter shall apply to all generators of solid waste located within the Town of Southampton and to all Town disposal areas, including sanitary landfill stations and garbage transfer stations.~~

~~§205-2. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~BULK GOODS~~

~~Solid waste, transported by a self-hauler, that is too large or bulky to be contained in a tied Town garbage bag.~~

~~CANS~~

~~Containers comprised of aluminum, tin, steel or a combination thereof which contain or formerly contained only food and/or beverage substances.~~

~~CARDBOARD~~

~~All corrugated cardboard normally used for packing, mailing, shipping or containerizing goods, merchandise or other material, but shall not mean wax-coated or soiled cardboard.~~

~~COMMERCIAL GARBAGE HAULER~~

~~A vehicle utilized in the business of collecting and transporting solid waste of any kind.~~

~~GLASS~~

~~All clear (flint), green and brown (amber) colored glass containers. "Glass" shall not mean wired glass, crystal, ceramics and plate, window, laminated or mirrored glass.~~

HAZARDOUS WASTE

- A. ~~A solid waste or a combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:~~
- ~~(1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or~~
 - ~~(2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.~~
- B. ~~Includes but is not limited to explosives, hazardous radioactive materials, toxic substances and those substances which the administrator of the Federal Environmental Protection Agency has caused to be included in the listing of hazardous waste promulgated by said Agency pursuant to 42 U.S.C.A. § 6921(b).~~

METAL

~~Any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat, form cations by loss of electrons and yield basic oxides and hydroxides, including any alloys or combinations thereof.~~

NEWSPAPER

~~Includes newsprint and all newspaper and newspaper advertisements, supplements, comics and enclosures.~~

NONRECYCLABLE WASTE

~~Same as "solid waste."~~

NONRESIDENTIAL SELF-HAULER

~~A vehicle utilized in the transporting of solid waste originating from a building or parcel of land with four or more dwelling units or any single business or single industrial use.~~

PAPER

~~All high-grade office paper, fine paper, bond paper, office paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, school paper, catalogs, computer paper and similar cellulosic material, but shall not mean newspapers, wax paper, plastic or foil-coated paper, styrofoam, wax-coated food and beverage containers, carbon paper, blueprint paper, food-contaminated paper, soiled paper and cardboard.~~

PLASTICS

~~Containers composed of high-density polyethylenes, polyethylene terephthalate or other specific plastics as the Town Board may designate.~~

RESIDENTIAL SELF-HAULER

~~A vehicle utilized in the transporting of solid waste originating from a building or parcel of land having three or fewer dwelling units.~~

RUBBISH

~~Nonputrescible solid waste consisting of both combustible and noncombustible wastes, including but not limited to nonrecyclable paper, wrappings, cigarettes, wood, wires, glass, bedding, furniture and similar materials which are not designated recyclable materials.~~

~~SELF-HAULER~~

~~A passenger car, station wagon, van of one ton's capacity or less or a pickup truck utilized by anyone who is not in the business of collecting and transporting solid waste.~~

~~SOLID WASTE~~

~~All putrescible and nonputrescible materials or substances discarded or rejected as having served their original intended use or as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, including garbage, refuse, litter and rubbish, but not including designated recyclable materials or materials to be separated.~~

~~TOWN GARBAGE BAG~~

~~A plastic bag bearing the logo of the Seal of the Town of Southampton, of such size and design as shall be determined by the Town Board, to be used by self-haulers for the disposal of solid waste.~~

~~VEGETATIVE YARD WASTE~~

~~Organic yard and garden waste, leaves and brush, not including grass clippings.~~

~~WHITE GOODS~~

~~Discarded household appliances such as stoves, refrigerators, washing machines and other old metal items.~~

~~§205-3. Regulations.~~

- ~~A. Disposal areas shall be open during such hours as may be designated by resolution of the Town Board adopted from time to time.~~
- ~~B. The personnel in charge of each disposal area shall have full power and authority to direct the manner of deposit of material at different locations within the disposal area that are designated for the deposit of specific types of materials, and anyone using said disposal area shall obey the instructions of said personnel and shall deposit the various types of material only in the areas or containers designated for such types of materials.~~
- ~~C. The disposal area personnel shall designate the unloading area at disposal areas by appropriate signs at both ends of said area. No person may deposit materials other than those designated by these signs. No person other than the authorized personnel of the disposal area may go beyond the signs and enter the area reserved for the deposit of this material.~~
- ~~D. The personnel in charge of each disposal area shall be responsible for the directing of movements of traffic within said disposal area, and anyone operating a vehicle within said disposal area shall obey the instructions of said personnel in this regard. No person shall park a vehicle between the signs designating an unloading zone except for the purpose and time required to unload.~~
- ~~E. The Town disposal areas are maintained by the taxpayers of the Town of Southampton and are provided for the use of the residents of the Town of Southampton only. No material of any sort that is collected or transported from~~

- ~~outside the limits of the Town of Southampton shall be deposited in said disposal areas.~~
- F. ~~It shall be unlawful for any person to deposit any waste, garbage or rubbish of any kind on land of the Town of Southampton outside the areas designated for the deposit of those materials.~~
- G. ~~No person shall dump, throw or place in any manner any rubbish, refuse, dirt or any material whatsoever in or upon such disposal area nor at a time except that indicated by such sign or signs or directions.~~
- H. ~~Any oral directions given by any person in charge of any disposal area shall take precedence over any sign or displayed directions.~~
- I. ~~It shall be unlawful for any person to deposit any waste, garbage or rubbish outside the gates of any disposal area at any time unless containers for that purpose have been provided and designated.~~
- J. ~~It shall be unlawful for any person other than the disposal area personnel to set fire to any material within the disposal area.~~
- K. ~~(Reserved) Editor's Note: Former Subsection K, which prohibited the removal of material from disposal areas, was repealed 5-26-1992 by L.L. No. 27-1992.~~
- L. ~~No person shall deposit any animal carcass in or upon any transfer station, except that an animal carcass may be buried if immediately interred by the person bringing such carcass to a sanitary landfill in a ditch at least two feet in depth and provided that the same is immediately covered to the level of the surrounding area with earth.~~
- M. ~~No person shall remove, destroy, alter, deface or otherwise injure any sign or signs placed or erected within any public disposal area except upon and by the direction of the Sanitation Supervisor.~~
- N. ~~All material transported to a disposal area shall be covered and secured so as not to disperse material during transportation of such material.~~
- O. ~~All vehicles requiring permits under § 205-4B shall meet the regulations of the Suffolk County Department of Health.~~
- P. ~~No tires may be deposited at a disposal area. However, tires may be accepted for recycling at the discretion of the Town upon payment of a fee of \$100 per ton. Said fee shall be prorated for any fraction or part of a ton.~~
- Q. ~~No hazardous wastes shall be disposed of at a disposal area.~~
- R. ~~It shall be unlawful for any person engaged in the business of collecting garbage and waste within the Town of Southampton to make such collection before 6:00 a.m. or after 10:00 p.m. of any day.~~
- S. ~~All appliances shall have their doors removed before disposal at a disposal area.~~
- T. ~~Any material which is incompatible with use of the compactor at a transfer station shall be prohibited at such station and shall be disposed of at a sanitary landfill.~~

- ~~U. All vehicles required to pay a usage fee under § 205-5A and entering the sanitary landfill site must utilize the scale installed at said site and obey the instructions of the personnel in charge. A weight ticket shall be retrieved from the scale house before entering the landfill site.~~
- ~~V. The disposal of land-clearing debris, construction debris or demolition debris by commercial garbage haulers shall be prohibited at any Town disposal area. Land-clearing debris, construction debris or demolition debris deposited by self-haulers must be separated from any and all other solid waste, trash, rubbish or vegetative yard waste and deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~W. The Town Board hereby delegates to the Sanitation Supervisor the authority to adopt rules to prohibit the disposal of any waste materials, in addition to those materials expressly prohibited by this chapter, where the Sanitation Supervisor finds that waste materials would be harmful to the public welfare or would adversely impact the remaining capacity of the sanitary landfill station. Said rules shall be published in the official newspaper of the Town and posted on the Town Clerk's signboard. Said rules shall be effective upon such posting and publishing.~~
- ~~X. No newspaper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such newspaper is separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such newspaper is to be deposited only at designated areas within such Town disposal area or transfer station. When such newspaper is prepared for disposal by anyone other than the ultimate disposer, such as a carter, it should be securely bundled and tied in packages not exceeding 50 pounds with a rope or cord sufficient in strength to facilitate handling.~~
- ~~Y. No vegetative yard waste, as defined herein, shall be deposited at any Town of Southampton disposal area or Town transfer station unless such vegetative yard waste is separated from any and all solid waste, trash or rubbish. Such vegetative yard waste is to be deposited only at designated areas within such Town disposal area or transfer station, and in no event shall vegetative yard waste include grass clippings.~~
- ~~Z. No white goods as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such white goods are separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such white goods are to be deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~AA. No cans as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cans are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, glass, metal or paper. Such cans are to be deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~BB. No cardboard as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cardboard is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, glass, metal or paper. Such cardboard is to be deposited only at designated areas within such Town disposal area or transfer station.~~

- ~~CC. No glass as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such glass is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, metal or paper. Such glass is to be deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~DD. No metal as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such metal is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or paper. Such metal is to be deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~EE. No paper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such paper is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or metal. Such paper is to be deposited only at designated areas within such Town disposal area or transfer station.~~
- ~~FF. No plastics as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such plastics are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, glass, metal or paper. Such plastics are to be deposited at designated areas within such Town disposal area or transfer station.~~
- ~~GG. All generators of solid waste located within the Town of Southampton, which leave such waste for collection or which deliver such waste to a solid waste facility, shall separate newspaper, vegetative yard waste, white goods, cans, cardboard, glass, metal, paper and plastics from the solid waste stream at the point of waste generation.~~
- ~~HH. Nonrecyclable waste and Town garbage bags.~~
- ~~(1) Nonrecyclable waste deposited at any Town disposal area by a self-hauler shall be fully contained in a tied Town garbage bag unless it consists of or includes one or more bulk goods.~~
- ~~(2) Town garbage bags shall be available at designated areas in the Town.~~
- ~~(3) The size and design of the Town garbage bag shall be determined by resolution of the Town Board.~~
- ~~(4) The fee for each size of the Town garbage bag shall be determined by resolution of the Town Board.~~
- ~~(5) No person shall:~~
- ~~(a) Duplicate or imitate a Town garbage bag.~~
- ~~(b) Give, sell or issue in any manner a duplicated or imitated Town garbage bag.~~

~~§205-3.1. Regulations on solicitation of business.~~

- A. ~~It is unlawful for any commercial garbage hauler or anyone acting on behalf of a commercial garbage hauler to canvass or to solicit business by entering upon the privately owned premises of any property located within the Town of Southampton if the property owner has noted objection to such entry and if the address of such property owner has been provided to the commercial garbage hauler pursuant to the provisions of this chapter.~~
- B. ~~The Town Clerk shall maintain a list of addresses of property owners within the Town of Southampton who have notified the Clerk of a wish not to be solicited at their premises by any commercial garbage hauler or person representing a commercial garbage hauler.~~

~~§205-4. Permits for garbage vehicles; permit fees.~~

- A. ~~All vehicles required to pay a usage fee under § 205-5A shall display a vehicle permit as herein required, which shall be affixed to the left side of the front bumper.~~
- B. ~~Permits will be issued by the Town Clerk's office after payment of the following fees for each vehicle:~~
 - (1) ~~Garbage haulers and all other vehicles required to pay a usage fee under § 205-5A: \$300 for the first vehicle and \$125 for each additional vehicle.~~
 - (2) ~~Roll-off containers:~~
 - (a) ~~Zero to 20 cubic yards: \$75.~~
 - (b) ~~More than 20 yards to 40 yards: \$150.~~
 - (c) ~~More than 40 yards: \$300.~~
 - (3) ~~Nonresidential self-haulers depositing source-separated recyclables only and vehicles engaged in the business of transporting source-separated recyclables only: \$100 for the first vehicle and \$50 for each additional vehicle.~~
- C. ~~All permit fees are annual for the calendar year with no proration.~~
- D. ~~It shall be unlawful to utilize a vehicle in the business of collecting and transporting solid waste without the proper vehicle permit, and each vehicle shall have its own separate permit which shall be issued to the registration number of the vehicle where applicable.~~
- E. ~~All commercial garbage haulers, regardless of whether they utilize the Town landfill or transfer stations, and all persons applying for vehicle permits under Subsection B of this section shall be required to file an application form with the Sanitation Supervisor for approval.~~
 - (1) ~~Prior to the issuance of a permit for any vehicle pursuant to Subsection B of this section, the Sanitation Supervisor shall first approve the application for such permit and the vehicle shall be inspected.~~
 - (2) ~~Each applicant for such permit shall provide the following information:~~

- ~~(a) The name and address of the applicant and of all persons having a financial interest in the business.~~
- ~~(b) A brief description of the vehicle, including the manufacturer, factory number, type of body (for example, tank, enclosed pickup, packer, van and so forth), weight of the vehicle unladen, maximum load to be carried and New York State registration number. All trucks must have lettering on the sides of the vehicle indicating their company name, at least six inches high.~~
- ~~(c) All commercial garbage haulers shall provide the Town with a list of all residential and nonresidential sites of collection, indicating the street address of such sites and the days of pickup at those sites.~~
- ~~(d) The location where the vehicle is stored or garaged when not in use.~~
- ~~(e) The place or places where the applicant shall dispose of the garbage, refuse, rubbish or trash collected and the manner of disposal.~~
- ~~(f) Whether the applicant or any of the persons having a financial interest in the business has ever been convicted of a felony or misdemeanor or has ever had an operator's license revoked or suspended in this or any other state.~~
- ~~(g) Proof of financial responsibility in the event of injury to persons or property by reason of the negligent operation of any vehicle used in the business.~~
- ~~(h) The type of permit applied for.~~
- ~~(i) All commercial garbage haulers must deposit with the Town the sum of the lesser of \$500 or an amount equal to the largest monthly bill paid by the hauler within the preceding twelve-month period for usage fees, to be held by the Town as a security deposit for faithful performance of the terms and conditions of this chapter. All deposits so made shall be placed by the Town in interest-bearing accounts. The interest so earned shall be paid to each permittee on an annual basis. Upon cancellation or revocation of a permit issued pursuant to this chapter, the security deposit will be returned to the permittee with accumulated interest after deducting any outstanding usage fees.~~
- ~~(3) The Sanitation Supervisor may require any additional information he may deem necessary from an individual applicant in order to administer the regulations enumerated in § 205-3 of this chapter.~~
- ~~F. Said permits shall be issued with an individual identification number which shall be assigned to each vehicle and shall not be transferable. Upon issuance of the permit, the Town Clerk shall also provide a copy of the list of addresses that it maintains pursuant to § 205-3.1 of this chapter to every person receiving such permit. Said permit shall be kept available within the vehicle for inspection upon demand.~~
- ~~G. Any permit issued hereunder may be suspended or revoked by the Town Board after notice to the applicant and a hearing, where one or more of the following grounds exist:~~

- ~~(1) The applicant has not been found to be fit, willing and able to properly perform the service proposed and the applicant is unable to provide sufficient and suitable equipment to meet the requirements of the business.~~
- ~~(2) Issuance of the permit is deemed not to be in the best interests of the Town or its residents.~~
- ~~(3) The applicant has failed and refused, without reasonable cause, to collect and dispose of material except in a situation where a contract between the applicant and his customer has been lawfully terminated.~~
- ~~(4) The applicant has failed to account for or pay, without reasonable cause, any fees or bills due to the Town.~~
- ~~(5) The applicant has failed to reasonably fulfill his obligations to a customer as commercial refuse collector.~~
- ~~(6) The applicant is insolvent or has made a general assignment for the benefit of creditors or has been adjudged bankrupt or a money judgment has been secured against him, upon which an execution has been returned wholly or partly unsatisfied.~~
- ~~(7) The applicant or permittee has failed to keep and maintain any records required by the Town or has refused to allow the inspection thereof.~~
- ~~(8) The applicant has violated any of the provisions of this article or has failed to comply with any of the requirements stipulated herein.~~
- ~~(9) The applicant ceased to operate as a commercial collector, for which a permit was previously issued.~~
- ~~(10) The applicant has made a false statement in his permit application.~~
- ~~(11) The applicant has been found to have collected material from outside the Town and to have disposed of the same in a public disposal facility within the Town. The suspension or revocation will be in addition to penalties provided by § 205-7.~~
- ~~(12) The circumstances of the applicant have been altered to the extent that the applicant would not be qualified to obtain a permit if the circumstances, as altered, existed at the time the applicant had applied for the permit. Failure of the applicant to notify the Town, in writing, of such an alteration in circumstances shall likewise constitute grounds for revocation or refusal to recommend.~~
- ~~(13) The applicant has illegally disposed of hazardous or contaminated waste at a disposal area or at any location within the Town. The suspension or revocation will be in addition to penalties provided by § 205-7.~~
- ~~(14) The applicant has been found to have violated any of the posted rules pertaining to safe operation of the Town owned and/or maintained public disposal facilities.~~

~~§205-5. Usage fees.~~

- A. ~~The Town Board shall determine by resolution the fees for self-haulers depositing bulk goods, land-clearing debris, yard waste, construction or demolition debris, and any recyclables.~~
- B. ~~Self-haulers depositing bulk goods shall pay a flat fee of \$5 per load.~~
- C. ~~The method and procedure for collection of the fees prescribed by this section shall be established by the Town Board by resolution.~~
- D. ~~Vehicles which are larger than a pickup truck or a van of one ton's capacity and commercial garbage hauler vehicles and self-haulers depositing bulk goods shall utilize only the North Sea disposal area.~~
- E. ~~There shall be no fee for the deposit of source-separated recyclables or vegetative yard waste by self-haulers.~~
- F. ~~Self-haulers depositing land-clearing debris, construction debris or demolition debris shall pay a flat fee of \$25 per cubic yard.~~

~~§205-6. Removal of surplus fill.~~

- A. ~~When available, surplus fill from the grounds of the sanitary landfill areas may be removed by municipal governing bodies under the following conditions:~~
 - (1) ~~Said fill shall consist of either sand or marl, as determined by the loading machine operator.~~
 - (2) ~~Said material shall be dug and loaded only by the Town-owned loading machines, operated by disposal area personnel.~~
 - (3) ~~Persons desiring said fill shall present to disposal area personnel a valid permit issued by the Town Board stipulating the amount of fill permitted to be removed.~~
 - (4) ~~Said loading machine operator, upon acceptance of the permit, shall load the appropriate vehicle or vehicles provided by the permittee, unless said loading equipment is temporarily inoperative, absent or employed in need elsewhere in the disposal area; there is no guaranty of a specific loading equipment operator.~~
 - (5) ~~Said vehicle provided by the permittee shall be loaded at the owner's risk, and the Town of Southampton shall not be responsible for any damage to said vehicle resulting from the act of loading fill into the vehicle.~~
- B. ~~Municipal governing bodies, such as incorporated villages, fire districts and school districts located within the Town of Southampton, may make application for specific amounts of fill without fee. Said application shall be submitted to the Town Board for approval by resolution.~~

~~§205-7. Penalties for offenses.~~

~~A violation of any of the provisions of this article shall be deemed a violation and, upon conviction, shall be punishable by a fine of not more than \$1,000 or by imprisonment for not more than 15 days, or both such fine and imprisonment.~~

~~ARTICLE II. Scavenger Waste~~

~~§205-8. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~ALTERATION~~

~~The repair, modification or replacement of any component of an on-site sewage disposal system.~~

~~EXCLUDED WASTE~~

~~The following forms of waste are considered excluded waste:~~

- ~~A. Industrial waste.~~
- ~~B. Automobile oil and other noncooking oil.~~
- ~~C. Drainage from basement floors, footings or roofs.~~
- ~~D. Toxic or hazardous substances and chemicals, including but not limited to pesticides, acids, paints, paint thinner, herbicides, solvents, photographic chemicals and water-softening agents.~~
- ~~E. Cesspool cleaning and drain opening products which are prohibited by Article 39 of the New York Environmental Conservation Law or Suffolk County Local Law No. 12-1980.~~

~~ON-SITE SEWAGE DISPOSAL SYSTEM~~

~~A system for the disposal of untreated scavenger waste, such as a septic tank, cesspool, sewage holding tank, marine pump-out holding tank or other similar device, on or near the site of the building or buildings being served.~~

~~OWNER~~

~~A natural person, corporation, the State of New York or any authority or subdivision of the state, the United States of America or any department or agency thereof who owns, rents or leases real property.~~

~~PERSON~~

~~An individual, association, firm, syndicate, corporation, department, bureau or agency or any entity recognized by law as the subject of rights and duties.~~

~~SCAVENGER WASTE~~

~~Sanitary sewage and domestic sewage wastes which are normally disposed of in an on-site sewage disposal system. Scavenger waste shall not include excluded wastes as defined herein.~~

~~SCAVENGER WASTE PLANT~~

~~The joint Riverhead/Southampton Scavenger Waste Treatment Plant situate on Riverside Drive, Riverhead.~~

TOWN

~~The Town of Southampton, including incorporated villages.~~

~~§205-9. On-site sewage disposal systems.~~

- ~~A. Only scavenger waste shall be discharged into on-site sewage disposal systems in the Town.~~
- ~~B. The discharge of excluded waste into an on-site sewage disposal system shall be prohibited in the Town.~~

~~§205-10. Transportation permit required; fee; rules and regulations.~~

- ~~A. No person shall engage in the removal of scavenger waste from any on-site septic system in the Town without a valid permit issued by the Town Clerk and the Suffolk County Department of Health Services.~~
- ~~B. Any applicant for a permit as required by Subsection A of this section shall file a sworn application with the Town Clerk. Said application shall be on a form provided by the Town Clerk and shall contain the name and address of the applicant and the type, model, capacity (in gallons) and registration number of all vehicles to be used. Additionally, such form shall state:
[Amended 7-10-1990 by L.L. No. 19-1990]~~

<p>"I, _____, being duly sworn, state and depose that I am familiar with the provisions of Chapter 205, Article II, Scavenger Waste, of the Town Code of the Town of Southampton. I will report the address and exact location of all on-site sewage disposal systems pumped by me or my business within the Town of Southampton as required by Chapter 205, Article II. I will comply with all other provisions of Chapter 205, Article II. I am aware that failure to comply will result in the assessment of a penalty of \$250 and/or 15 days' imprisonment for each violation."</p>
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- ~~C. The permit fee for the permit required by Subsection A of this section shall be \$250 per vehicle. This fee shall be collected by the Town Clerk before the permit is issued. A permit shall be issued for each vehicle to be utilized by the applicant.~~
- ~~D. Each person with a permit under the provisions of this section shall file on the last Friday of each month, on a form to be provided by the Town Clerk, a report for each vehicle with the Town Clerk, stating the address, Suffolk County Tax Map number and exact location of each on-site sewage disposal system pumped during the month and shall certify that no excluded waste was disposed of at the joint scavenger waste facility.~~
- ~~E. All scavenger waste generated within the Town shall be disposed of at the scavenger waste plant.~~
- ~~F. No excluded waste shall be disposed of at the scavenger waste plant.~~
- ~~G. The rules for disposal of scavenger waste at the scavenger waste plant shall be promulgated by the Town of Riverhead. The personnel in charge of said facility shall have full authority to implement said rules. Any violation of said rules by a person licensed by the Town of Southampton shall be deemed a violation of this chapter.~~

~~§205-11. Construction or alteration permit for on-site sewage disposal system; fee.~~

- ~~A. No person shall construct a new on-site sewage disposal system or alter any existing on-site disposal system in the Town without first obtaining a permit from the Town Clerk. Such permit shall state the exact location of the on-site sewage disposal system and the address and Tax Map number of the property where the work is performed in the manner and form specified by the Town Clerk.~~
- ~~B. The fee charged for such construction permit shall be in an amount prescribed by resolution of the Town Board.~~

~~§205-12. Construction standards for on-site sewage disposal systems.~~

- ~~A. All new construction of on-site sewage disposal systems in the Town shall conform to Standards for Sewage and Waste Disposal Systems as then established by the Suffolk County Department of Health Services.~~
- ~~B. All new construction shall be located as prescribed by the Suffolk County Department of Health Services and at a location where pumping can occur without trespassing on lands of another owner an express easement for that purpose over another owner's premises exists.~~
- ~~C. All on-site sewage disposal systems shall be covered in a manner that permits inspection as provided for herein.~~

~~§205-13. Inspections.~~

- ~~A. Every five years, or sooner if conditions require, on-site sewage disposal systems shall be inspected by qualified inspectors employed by the Town. A copy of this inspection report shall be provided to the owner. This requirement shall not apply to on-site sewage disposal systems in use on the effective date of this chapter until said systems are altered or pumped. However, nothing herein shall prevent a lawful inspection of an existing on-site sewage disposal system where an inspector has reason to believe that an existing system may be causing actual or potential pollution of groundwater or surface water, contamination of the drinking water supply, nuisance problems or other public health hazards.~~
- ~~B. The conduct of inspections shall be subject to all applicable laws. Five days' written notice is to be given to the owner that an inspection will be made.~~
- ~~C. No civil claim shall lie against the Town for any damages resulting from any inspection as authorized herein.~~
- ~~D. An inspector may order whatever remedial action is necessary to abate actual or potential pollution of groundwater or surface water, contamination of the drinking water supply, nuisance problems or other public health hazards. The time for compliance shall be specified. Failure to comply with an inspector's order shall be a violation of this article.~~

~~§205-14. Fees for scavenger waste.~~

~~The Town Board shall, by resolution, set the fee for the disposing of scavenger waste at the scavenger waste plant at an amount of not less than \$0.015 per gallon. The fee to be paid shall be calculated on full tank capacity.~~

~~Editor's Note: Current fees are available at the Town offices.~~

~~**§205-15. Penalties for offenses.**~~

- ~~A. Any violation of this article shall be punishable by a fine of not more than \$1,000 or by imprisonment for a term not to exceed 15 days, or both.~~
- ~~B. In addition to any other remedy available at law, the Town may seek whatever equitable remedies are available to it to enforce this article.~~

SECTION 3. Amendment.

Town Code Chapter 205 is hereby amended by adding the underlined words as follows:

Chapter 205

Waste Management

§205-1. Applicability.

The rules and regulations of this chapter shall apply to all generators of solid waste located within the Town of Southampton and to all Town disposal areas, including Town waste transfer stations, private garbage and/or recycling transfer stations for which Town waste is transported to, and the Refuse Hauler/Carters performing transportation operations.

§205-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BULK GOODS

Solid waste, transported by a self-hauler, which is too large or bulky to be contained in a tied Town garbage bag.

CANS

Containers comprised of aluminum, tin, steel or a combination thereof which contain or formerly contained only food and/or beverage substances.

CARDBOARD

All corrugated cardboard normally used for packing, mailing, shipping or containerizing goods, merchandise or other material, but shall not mean wax-coated or soiled cardboard.

COLLECTION VEHICLE

Any vehicle licensed by the Town of Southampton Waste Management Division to operate commercially within the Town for the purpose of collecting and transporting garbage, rubbish, ashes, refuse, liquid waste or recyclable material or any other waste material, except hazardous waste, as defined pursuant to regulations promulgated under the New

York State Environmental Conservation Law, Article 27, and/or the Federal Resource Conservation Recovery Act (RCRA) of 1976.

COMMERCIAL SELF-HAULER

A small business consisting of home renovation, estate care, or landscaping operating a vehicle utilized by anyone who is not in the business of collecting and transporting solid waste.

GLASS

All clear (flint), green and brown (amber) colored glass containers. "Glass" shall not mean wired glass, crystal, ceramics and plate, window, laminated or mirrored glass.

HAZARDOUS WASTE

A. A solid waste or a combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:

- (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.

B. Includes but is not limited to explosives, hazardous radioactive materials, toxic substances and those substances which the administrator of the Federal Environmental Protection Agency has caused to be included in the listing of hazardous waste promulgated by said Agency pursuant to 42 U.S.C.A. § 6921(b).

ILLEGAL DUMPING

Deposition of solid waste and/or recyclables at a location other than a facility legally licensed, permitted, and duly authorized to accept such material.

LAND-CLEARING DEBRIS

Soil, sod, stumps, trees in excess of 3", and chipped vegetative material as a result of the clearing of any property.

METAL

Any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat, form cations by loss of electrons and yield basic oxides and hydroxides, including any alloys or combinations thereof.

NEWSPAPER

Includes newsprint and all newspaper and newspaper advertisements, supplements, comics and enclosures.

NONRECYCLABLE WASTE

Same as "solid waste."

NONRESIDENTIAL PROPERTY

Those properties not zoned for residences, including, but not limited to, industrial, commercial, and business parcels.

NONRESIDENTIAL SELF-HAULER

A vehicle utilized in the transporting of solid waste originating from a building or parcel of land with four or more dwelling units or any single business or single industrial use.

PAPER

All high-grade office paper, fine paper, bond paper, office paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, school paper, catalogs, computer paper and similar cellulosic material, but shall not mean newspapers, wax paper, plastic- or foil-coated paper, styrofoam, wax-coated food and beverage containers, carbon paper, blueprint paper, food-contaminated paper, soiled paper and cardboard.

PERMITTED CARTER

Any individual, association, partnership, firm, corporation, not-for-profit organization, or any other person permitted by the Town of Southampton to operate within the Town for the purposes of collection, pick-up, transfer, removal and/or disposal of Solid Waste and/or Recyclables.

PLASTICS

Containers composed of high-density polyethylenes, polyethylene terephthalate or other specific plastics as the Town Board may designate.

REFUSE HAULER/CARTER

Any individual, association, partnership, firm, corporation, not-for-profit organization, or any other person so deemed by the Town to be collection, transfer and/or transportation of garbage, refuse, recyclable material (including, but not limited to scrap metal), construction or demolition debris, or solid waste from premises defined herein as "residential" and "non residential," or who removes solid waste from "residential" and "non residential" premises which he or she does not own, lease or occupy, whether or not such person is engaged in the business of collecting or removing Solid Waste.

RESIDENTIAL PROPERTY

A property within the Town of Southampton which is zoned to allow not more than three units per lot.

RESIDENTIAL SELF-HAULER

A Town resident and/or renter or guest of same and vehicle utilized in the transporting of solid waste originating from a residence or residential parcel of land within the Town of Southampton having three or fewer dwelling units.

RUBBISH

Nonputrescible solid waste consisting of both combustible and noncombustible wastes, including, but not limited to, nonrecyclable paper, wrappings, cigarettes, wood, wires, glass, bedding, furniture and similar materials which are not designated recyclable materials.

SOLID WASTE

All putrescible and nonputrescible materials or substances discarded or rejected as having served their original intended use or as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, including garbage, refuse, litter and rubbish, but not including designated recyclable materials or materials to be separated.

TOWN GARBAGE BAG

A plastic bag bearing the logo of the seal of the Town of Southampton, of such size and design as shall be determined by the Town Board, to be used by all self-haulers for the disposal of solid waste.

VEGETATIVE YARD WASTE

That certain material consisting of leaves, brush, and tree limbs less than three inches in diameter, but exclusive of stumps or grass clippings.

WHITE GOODS

Discarded household appliances such as stoves, refrigerators, washing machines and other old metal items.

§205-3. Regulations.

- A. Town Transfer Station Disposal areas shall be open during such hours as the Town Board may designate and amend from time to time by resolution.
- B. The personnel in charge of Town Transfer Station disposal areas shall have full power and authority to direct the manner of deposit of material at different locations within the disposal area that are designated for the deposit of specific types of materials, and anyone using said disposal area shall obey the instructions of said personnel and shall deposit the various types of material only in the areas or containers designated for such types of materials.
- C. The Town Transfer Station disposal area personnel shall designate the unloading area at disposal areas by appropriate signs at both ends of said area. No person may deposit materials other than those designated by these signs. No person other than the authorized personnel of the disposal area may go beyond the signs and enter the area reserved for the deposit of this material.
- D. The personnel in charge of each Town Transfer Station disposal area shall be responsible for the directing of movements of traffic within said disposal area, and anyone operating a vehicle within said disposal area shall obey the instructions of said personnel in this regard. No person shall park a vehicle between the signs designating an unloading zone except for the purpose and time required to unload.
- E. The Town disposal areas are maintained by the taxpayers of the Town of Southampton and are provided for the use of the residents of the Town of

Southampton only. No material of any sort that is collected or transported from outside the limits of the Town of Southampton shall be deposited in said disposal areas, unless so authorized by Town Board resolution.

- F. It shall be unlawful for any person to deposit any waste, garbage or rubbish of any kind on land of the Town of Southampton outside the areas designated for the deposit of those materials.
- G. No person shall dump, throw, or place in any manner any rubbish, refuse, dirt or any material whatsoever in or upon such Town disposal area nor at any time except that indicated by such sign or signs or directions.
- H. Any oral directions given by any person in charge of any Town disposal area shall take precedence over any sign or displayed directions.
- I. It shall be unlawful for any person to deposit any waste, garbage or rubbish outside the gates of any Town disposal area and/or any Refuse Hauler/Carter premise at any time unless containers for that purpose have been provided and designated.
- J. It shall be unlawful for any person to set fire to any material within a Town disposal area. The Town may, upon receipt of appropriate permits from the New York State Department of Environmental Conservation and the Fire Marshal, conduct controlled burns.
- K. No person shall remove, destroy, alter, deface or otherwise injure any sign or signs placed or erected within any public disposal area except upon and by the direction of the Waste Management Director.
- L. All material transported to a Town disposal area shall be covered and secured so as not to disperse material during transportation of such material.
- M. Residential tires may be deposited at the North Sea Transfer Facility for recycling at a cost posted on the Town's Website pursuant to the Waste Management/Recycling Center Fee Schedule.
- N. No hazardous wastes shall be disposed of at a Town disposal area with the exception of STOP (Stop Throwing Out Pollutants) Day for households hazardous wastes.
- O. It shall be unlawful for any person engaged in the business of collecting garbage and waste within the Town of Southampton to make such collection before 6:00 a.m. or after 7:00 p.m. of any day.
- P. All appliances shall have their doors removed before disposal at a Town disposal area.
- Q. No person shall deposit any animal carcass in or upon any transfer station, except as delivered by the Southampton Town Highway Department.
- R. All vehicles depositing bulk goods, metals, construction, and demolition debris and/or yard waste at the appropriate Town Transfer Stations must utilize the scale house or attendance booth installed at each perspective site and obey the instructions of the personnel in charge. A weight ticket and/or receipt shall be retrieved from the scale house or attendant booth before entering the Transfer Station Deposition Area.

- S. The disposal of land-clearing debris, construction debris or demolition debris by commercial garbage haulers shall be prohibited at any Town disposal area. Construction debris or demolition debris deposited by self-haulers must be separated from any and all other solid waste, trash, rubbish or vegetative yard waste and deposited only at designated areas within such Town disposal area or transfer station, unless otherwise authorized by Town Board resolution.
- T. The Town Board hereby delegates to the Director of Municipal Works the authority to adopt rules to prohibit the disposal of any waste materials, in addition to those materials expressly prohibited by this chapter, where the Director of Municipal Works finds that waste materials would be harmful to the public welfare. Said rules shall be published in the official newspaper of the Town and posted on the Town Clerk's signboard. Said rules shall be effective upon such posting and publishing.
- U. No newspaper and/or paper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such newspaper/paper is separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such newspaper/paper is to be deposited only at designated areas within such Town disposal area or transfer station. When such newspaper/paper is prepared for disposal by anyone other than the ultimate disposer, such as a carter, it should be securely bundled and tied in packages not exceeding 50 pounds with a rope or cord sufficient in strength to facilitate handling.
- V. No vegetative yard waste, as defined herein, shall be deposited at any Town of Southampton disposal area or Town transfer station unless such vegetative yard waste is separated from any and all solid waste, trash or rubbish. Such vegetative yard waste is to be deposited only at designated areas within such Town disposal area or transfer station, and in no event shall vegetative yard waste include grass clippings.
- W. No white goods as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such white goods are separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such white goods are to be deposited only at designated areas within such Town disposal area or transfer station.
- X. No cans as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cans are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such cans are to be deposited only at co-mingled designated areas within such Town disposal area or transfer station.
- Y. No cardboard as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cardboard is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, glass, metal or paper. Such cardboard is to be deposited only at designated areas within such Town disposal area or transfer station.
- Z. No glass as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such glass is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such glass is to be deposited only at co-mingled designated areas within such Town disposal area or transfer station.

- AA. No metal as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such metal is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or paper. Such metal is to be deposited only at designated areas within such Town disposal area or transfer station.
- BB. No plastics as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such plastics are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such plastics are to be deposited at co-mingled designated areas within such Town disposal area or transfer station.
- CC. All generators of solid waste located within the Town of Southampton, which leave such waste for collection or which deliver such waste to a solid waste facility, shall separate newspaper, vegetative yard waste, white goods, cans, cardboard, glass, metal, paper and plastics from the solid waste stream at the point of waste generation.
- DD. Nonrecyclable waste and Town garbage bags.
 - (1) Nonrecyclable waste deposited at any Town disposal area by a self-hauler shall be fully contained in a tied Town garbage bag.
 - (2) Town garbage bags shall be available at designated areas in the Town.
 - (3) The size and design of the Town garbage bag shall be determined by resolution of the Town Board.
 - (4) The fee for each size of the Town garbage bag shall be determined by resolution of the Town Board.
 - (5) No person shall:
 - (a) Duplicate or imitate a Town garbage bag.
 - (b) Give, sell or issue in any manner a duplicated or imitated Town garbage bag.

§205-4. Regulations; Town Residents/Visitors Utilizing Refuse Haulers/Carters.

- A. In accordance with New York State Source Separation/Recycling Law, (GML §120-aa), every owner or occupier of any residences and/or any refuse hauler/carter servicing these residences must source separate and segregate recyclable or reusable materials from rubbish.
- B. Containers; duty of owners and occupiers of property.
 - 1. Every owner or occupier of any residence within the Town of Southampton shall provide or cause to be provided at all times suitable and sufficient containers for solid waste and recyclables that may accumulate upon said premises.
 - 2. Residential waste containers 32 gallons or less containing solid waste and recyclables shall be watertight, with covers and handles of adequate strength.

3. Corrugated cardboard shall be placed in a container and/or bundled in larger than 18" x 18" stacks, or as approved by the refuse hauler/carter, to prevent littering.
4. All co-mingled recyclables (No. 1, 2 plastics, glass bottles, tin, and metal cans), shall be placed in containers bearing a label provided by the refuse hauler/carter.

C. Collection of Bulk Items.

1. The owner/occupier of any residence within the Town of Southampton shall arrange for the collection of bulk items such as white goods (refrigerators, washers, stoves, etc.), and other large items incapable of being enclosed in containers, from the refuse hauler/carter. All appliances and furniture items must be secured in such a way so as to avoid any hazard to the public; doors or broken glass shall be secured or removed from any appliance or furniture item prior to its placement curbside.

D. Collection of Waste – Refuse Haulers/Carters.

1. The Town of Southampton may, from time to time, determine by resolution which items must be source-separated as recyclables. The list of recyclables shall be posted on the Town's website and published in the local newspaper; said list may not be exhaustive.
2. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed to prevent leakage in transit to prevent stormwater runoff contamination. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
3. In the event a collection vehicle is transporting primarily recycling materials, said vehicle may be an open refuse-collection type, provided that said vehicle is fitted with a suitable canvas or other cover to prohibit any material from being discharged while the vehicle is in transit.
4. No debris, litter or the like shall fall upon any highway or street within the Town during the collection process.
5. Vehicles designed or known as "rear loaders," or "rear-load packers," shall be completely enclosed in transit, either by use of the exterior closing door fitted as part of a body style, or by the use of the closing mechanism in those units not having, as a standard or an accessory, a separate exterior door.
6. All accessory doors, including the main loading door, shall be closed during travel on public highways unless the subject vehicle is engaged in the continuous servicing of adjacent structures along said highway.
7. The condition of collection vehicles shall be maintained to industry standards, and shall be kept clean and sanitary.

8. All collection vehicles shall comply with the provisions of this chapter, as well as those regulations set forth by the New York State Department of Motor Vehicles.
9. Collection vehicles shall be subject to inspection at any time by the Town for the purpose of enforcement of this chapter.

§205-5. Regulations; Solid Waste Generated at Commercial and Institutional Operations within the Town.

A. Containers; duty of owners and occupiers of property.

1. Every owner or occupier of any building, premises, or place of business within the Town shall provide or cause to be provided at all times suitable and sufficient containers for solid waste and rubbish.
2. All solid waste and refuse containers shall be designed for such purposes, either of metal, plastic, or other durable material, and shall be securely tied, fastened, closed, or sealed. Such containers shall be emptied or replaced whenever full and, if containing solid waste, at least once each week. Such containers shall be maintained in such a manner so as to prevent dispersal of its contents about the premises or elsewhere.
3. All private, industrial, institutional, or commercial establishments shall provide suitable recycling containers to prevent the dispersal of its contents about the premises or elsewhere.

B. Source Separation of Solid Waste, including recyclable materials.

1. Owners, occupiers, and refuse haulers/carters of all properties within the Town shall be required to source separate recyclable material (paper, cardboard, plastics, metal, and glass), to the maximum extent practicable, from municipal solid waste.
2. Owners, occupiers, and refuse haulers/carters shall separate the following materials from all other solid waste left for collection or transport to a solid waste facility:
 - a. Hazardous wastes;
 - b. Recyclables (paper, cardboard, plastics (1 & 2), metal, glass), or as may be designated by the Town Board;
 - c. Yard waste;
 - d. Construction and demolition debris.

§205-6. Permit required for commercial and/or private waste haulers/carters.

Pursuant to New York State Department of Environmental Conservation (DEC) requirements:

- A. All Commercial haulers/carters must obtain a solid waste collection permit from the Town of Southampton. A fee for such permit shall be set by the Town Board on an

annual basis, and all permits shall be issued for the calendar year or such portion thereof. There shall be no reduction in the fee for a permit issued after the beginning of any calendar year.

- B. No person, company, corporation, partnership, or other entity, except as hereinafter provided, shall remove any solid waste, garbage, refuse, recyclable material, or rubbish of any kind from the premises of any person, firm, or corporation, or cart or transport the same through or upon any street, avenue, parkway, or highway within the Town unless such person shall have first obtained a permit from the Town of Southampton Division of Waste Management, as hereinafter provided. No such permit shall be required for persons under contract with the Town who, pursuant to such contract, are transporting solid waste from a Town facility outside the Town to a recycling facility.
- C. Permitted and authorized haulers/carters shall offer collection services for all recyclable materials to all residential customers for whom they provide household solid waste collection services.
- D. An application form with information required for a hauler's/carter's permit shall be provided by the Town. The applicant shall complete the form either online and/or in writing; the application shall contain such information as requested by the Town Board but, at a minimum, shall include:
1. A list of all vehicles, including vehicle license numbers, the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the Town of Southampton;
 2. The names and addresses of all partners, limited or otherwise, if the applicant is a partnership, or of all officers and directors and shareholders, if the applicant is a corporation;
 3. A detailed account of the total estimated weight of refuse and recyclables by type within the last 12 months collected by the applicant within the Town of Southampton;
 4. The applicant shall provide a record of a prior conviction or convictions of any crime for which the applicant plead or was found guilty. If the applicant is a corporation, partnership or other business entity, it shall also provide a record of a prior conviction or convictions of any crime for which it plead or was found guilty.
 5. Written certification by the Owner that all vehicles have passed New York State Department of Motor Vehicle (NYSDMV) Inspection and that compacting collection vehicles are completely enclosed and water tight.
 6. The make, year, model of chassis, body style, volume, tonnage capacity, color and state vehicle registration number of each such vehicle.
 7. The hamlet or area in which the applicant intends to operate within the Town of Southampton.
 8. The type of material(s) intended to be hauled by the applicant (i.e., MSW, Recyclables, Construction and Demolition Debris)

- E. The Division of Waste Management shall issue the applicant a carter permit so long as the application is deemed complete and the applicant is deemed by the Division of Waste Management to be in compliance with all applicable laws and provisions herein. Applicant shall provide a certified check or credit card payment in the amount of the permit fee as determined by the Division of Waste Management. The Division of Waste Management shall issue a plate or tag for each truck used by a permittee hereunder. Such plate or tag shall be securely fastened and displayed at all times in a conspicuous location on each such truck. Failure to display said tag or plate in a conspicuous place on any truck shall be deemed a violation of this section.
- F. The renewal of a hauler/carter permit(s) shall be in the same manner and subject to the same conditions as the issuance of the original hauler/carter permit(s), and shall be subject to any additional requirements in effect at the time an application for renewal is filed.
- G. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed herein. Said rules and regulations may be amended or supplemented from time to time by the Town Board.
- H. The name of the Carter shall be readily visible on all vehicles and containers utilized for the collection of Solid Waste and/or Recyclables generated within the Town.
- I. Any hauler/carter permit issued pursuant to this chapter shall be a privilege, subject to the terms and conditions set forth herein and as amended or supplemented by the Town, and shall not be deemed to create a property interest therein.

§205-7. Southampton Town Transfer Station usage fees.

- A. The fees for residential self-haulers depositing bulk goods, yard waste, construction or demolition debris, and/or any recyclables at Town Transfer Station facilities shall be determined, and amended from time to time, by Town Board resolution.
- B. Residential self-haulers depositing bulk material, brush less than 3" in diameter, and/or construction and demolition debris, shall pay a fee as determined, and amended from time to time, by Town Board resolution, and as advertised on the Town's website pursuant to the Waste Management/Recycling Center Fee Schedule.

§205-8. Refuse Hauler/Carter Permit Fees.

The fees for Refuse Hauler/Carter permits working within the Town of Southampton shall be determined, and amended from time to time as needed, by Town Board resolution.

§205-9. Penalties for offenses.

- A. In the event of a violation of this chapter, the Town may order compliance and issue a written notice of violation, to be served personally or by certified mail on the violator.
- B. Upon a finding of a violation, the Town shall have the power to impose a civil penalty, suspend, or revoke a hauler/carter permit granted or renewed pursuant to this chapter for any violation of any provision herein or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling, or disposal of Solid Waste and/or Recyclables.

- C. An appeal of any of the actions described in (B) above shall be governed by Article II of Town Code Chapter 143 to the Licensing Review Board.
- D. In addition to, or as an alternative to any penalty provided herein or by law, any person who violates a provision(s) of this chapter shall be guilty of a violation punishable by a fine not exceeding \$1,500, or imprisonment for a period not to exceed six months, or both for a conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$1,500 nor more than \$3,000, or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$3,000 nor more than \$5,000, or imprisonment for a period not to exceed six months, or both. However for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each days continued violation shall constitute a separate additional violation.

SECTION 4. Authority.

The Town Board hereby amends Town Code Chapter 205 pursuant to General Municipal Law §120-aa, and Municipal Home Rule Law §§10(1)(ii)(a)(11) and (12), as well as §10(1)(ii)(d)(3).

SECTION 5. Severability.

If any section or subsection, paragraph, clause, phrase, or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 6. Effective Date.

This Local Law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on **March 10, 2015 at 1:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, 'Waste Management.' "

Summary of Proposed Law

The purpose of this local law is to (i) update the current regulations contained within the Town Code to reflect the present practices of the Town's facilities and, more specifically, its transfer stations, and (ii) require a carting permit for those refuse haulers or carters who

are engaged in the business of the collection, pick-up, transfer, removal, and/or the disposal of solid waste and/or recyclables within the Town of Southampton.

Copies of the proposed law, sponsored by Councilwoman Bridget Fleming and Councilman Bradley Bender, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None, see resolution text.

Ü Vote Record - Town Board Resolution RES-2015-208						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-209

Category: Real Estate & Easements
Sponsors: Supervisor Anna Throne-Holst
Department: Community Preservation

Authorize Acquisition of Lands of Melzer, Remsenburg/ Speonk, and Amend the CPF Management and Stewardship Plan to Include Said Properties

WHEREAS, The Town Board of the Town of Southampton has resolved to acquire certain property for preservation in the Town of Southampton Community Preservation Project Plan which identifies target areas and eligible properties for acquisition via the Community Preservation Fund (CPF); and

WHEREAS, the Melzer & Company Retirement Trust is the purported owner of a vacant parcel of land totaling approximately 11.9 acres located on Laila Court in Remsenburg/ Speonk, New York, shown as SCTM# 900-367-1-2.1, 2.2, 2.3, 2.4 and 2.5; and

WHEREAS, said property is designated in the Wetland Preservation Target Area, which is an indispensable and fragile natural resource that is immensely important to both the environmental and economic health of the Town. The rich assemblage and complex variety of wetlands, ranging from small wet depressions, interdunal swales and vernal ponds, to expansive marshes, swamps, bays, creeks and ponds, sustain a multitude of natural functions and values, making them essential to maintaining the ecology and biodiversity of the Town. They also perform important flood protection and pollution control functions, as well as provide a great expanse of scenic natural open space; and

WHEREAS, the Melzer & Company Retirement Trust has expressed an interest in selling the property to the Town of Southampton at a total cost not to exceed \$5,337,500.00; and

WHEREAS, a public hearing was held before the Town of Southampton on February 10,

2015 as part of the Community Preservation Project Plan to determine if the subject interests in real property should be acquired pursuant to §247 of the General Municipal Law and it is felt that this acquisition is the best alternative for the protection of community character of all the reasonable alternatives available to the town, and it was determined that said interests in real property should be purchased.

WHEREAS, on November 9, 2011, the Town Board adopted the Town of Southampton CPF Management and Stewardship Plan 2012 for the Community Preservation Fund pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said Management and Stewardship Plan shall be in effect for three (3) years with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property should be included in the Plan as it may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Southampton is hereby authorized to purchase the lands of the Melzer & Company Retirement Trust totaling approximately 11.9 acres of vacant land located on Laila Court in Remsenburg/Speonk, New York, shown as SCTM# 900-367-1-2.1, 2.2, 2.3, 2.4 and 2.5 at a total cost not to exceed \$5,337,500.00, plus closing expenses including an accurate survey, title insurance and other related adjustments; the source of the funding to be the Community Preservation Fund Land Purchase Account G/L #31-99-1940-31-6208-0001, and also hereby amends the CPF Management and Stewardship Plan to include said properties.

BE IT FURTHER RESOLVED, that the five (5) development rights acquired with this real property, subject to Planning Department conditions, shall be banked for potential transfer of development rights (TDR) use; and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a Contract of Sale and execute any documents necessary to close title for said properties.

Financial Impact:

The source of funding shall be Community Preservation Fund - Land Purchase G/L #31-99-1940-31-6208-0001 in the estimated amount of \$5,337,500.00

Ü Vote Record - Town Board Resolution RES-2015-209						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-210

Category: Real Estate & Easements
Sponsors: Supervisor Anna Throne-Holst
Department: Community Preservation

Authorize Transfer of Lands from Suffolk County, East Quogue, and Amend the CPF Management and Stewardship Plan to Include Said Properties

WHEREAS, the Town Board of the Town of Southampton has adopted the Town of Southampton Community Preservation Project Plan that identifies target areas and properties for acquisition for park, recreation, open space and conservation purposes; and

WHEREAS, these parcels are owned by Suffolk County and shown as SCTM #900-344-1-24.3 and 24.44; and

WHEREAS, said property is designated in the Wetland Preservation Target Area, which is an indispensable and fragile natural resource that is immensely important to both the environmental and economic health of the Town. The rich assemblage and complex variety of wetlands, ranging from small wet depressions, interdunal swales and vernal ponds, to expansive marshes, swamps, bays, creeks and ponds, sustain a multitude of natural functions and values, making them essential to maintaining the ecology and biodiversity of the Town. They also perform important flood protection and pollution control functions, as well as provide a great expanse of scenic natural open space; and

WHEREAS, Suffolk County wishes to transfer the properties to the Town of Southampton for open space and conservation purposes; and

WHEREAS, pursuant to §140-5A of the Town Code and §247 of the General Municipal Law, a public hearing was held on May 13, 2014; and

WHEREAS, on November 12, 2008, the Town Board adopted the Town of Southampton Management and Stewardship Plan 2008 for the Community Preservation Fund pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said Management and Stewardship Plan shall be in effect for three (3) years with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property may require management and stewardship activities within the Plan's initial three (3) years; and

WHEREAS, the Town Board finds that acceptance of the transfer of this property is the best alternative for the protection of community character of all of the reasonable alternatives available.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Southampton is hereby authorized to amend the Town of Southampton CPF Management and Stewardship Plan to include said properties and hereby accepts the transfer of the properties of Suffolk County, located in East Quogue, New York, shown as SCTM #900-344-1-24.3 and 24.4, for open space preservation and conservation purposes, for no consideration, except incidental title, County reimbursement costs in the amount of \$73,101.75, recording expense or other related expense; the source of the funding to be the Community Preservation Fund Account, GL 31-

99-1940-31-6208-0001; and

BE IT FURTHER RESOLVED, said land transfer is contingent upon the landowner's providing clear and marketable title; and

BE IT FURTHER RESOLVED, that the two (2) development rights acquired with this real property, subject to Planning Department conditions, shall be banked for potential transfer of development rights (TDR) use; and

BE IT FURTHER RESOLVED, that the Community Preservation Program Manager is authorized to execute any documents necessary to close title for said properties.

Financial Impact:

The source of funding shall be Community Preservation Fund - Land Purchase G/L #31-99-1904-31-6208-0001 in the estimated amount of \$73,101.75

Ü Vote Record - Town Board Resolution RES-2015-210						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-211

Category: SEQRA
Sponsors: Supervisor Anna Throne-Holst
Department: Long Range Planning

Commence SEQRA and Coordinate Lead Agency for Planned Development District Application entitled "The Hills at Southampton" Requesting a Change from Country Residence 200 (CR200) to Mixed-Use Planned Development District (MUPDD), East Quogue

WHEREAS, on June 7, 2013, the Town Board of the Town of Southampton received pre-application documents for the subject project titled "The Hills at Southampton" from DLV Quogue, LLC ("Applicant") requesting a Change of Zone from CR200 to Mixed Use Planned Development District (MUPDD); and

WHEREAS, on August 27, 2013 and October 8, 2013, the Town Board held two pre-application public hearings on the proposed project; and

WHEREAS, on December 6, 2013, the Department of Land Management, by the Town Planning and Development Administrator, issued a pre-application summary report examining and discussing the proposed MUPDD; and

WHEREAS, the Town Board of the Town of Southampton adopted Resolution No. 2014-120 on June 14, 2014, electing to consider the subject Change of Zone application; and

WHEREAS, on October 21, 2014 a formal application entitled "The Hills at Southampton Mixed-Use Planned Development District (MUPDD)" was filed in the office of the Town Clerk, with additional information received on November 7, 2014, and was deemed incomplete

pursuant to the provisions of 330-244C on November 10, 2014; and

WHEREAS, the applicant submitted an amended formal application entitled "The Hills at Southampton Mixed-Use Planned Development District (MUPDD)" on January 12, 2015; and

WHEREAS, the proposed action seeks to change four separate land holdings totaling 594.48 acres located in the hamlet of East Quogue, from Residential 200 (CR200) to Mixed-Use Planned Development District (MUPDD); and

WHEREAS, the majority of the proposed site, 452.58 acres, lies south of Sunrise Highway, generally north of Lewis Road, in the vicinity of Spinney Road, and east of Spinney Road, with 141.90 acres north of Sunrise Highway; and

WHEREAS, the proposed action seeks to construct 95 residential units on 26.77 acres, a clubhouse area with 23 residential units, a pro shop, dining area and spa related amenities on 4.25 acres, a golf course on 92.13 acres, a pond/pond house on 4.6 acres, a 1.64 acre maintenance area, and 9.29 acres of new roadways and driveways; and

WHEREAS, the proposed Change of Zone is a Type I Action pursuant to the State Environmental Quality Review, and the regulating provisions of 6 NYCRR Part 617; and

WHEREAS, the following are involved agencies:

1. Town of Southampton Town Board
2. Town of Southampton Planning Board
3. Central Pine Barrens Commission
4. Suffolk County Water Authority
5. Suffolk County Department of Health Services
6. New York State Department of Environmental Conservation, Region 1

WHEREAS, the following are interested agencies:

1. Suffolk County Planning Commission
2. Southampton Town Engineer's Office
3. Southampton Town Fire Marshall
4. Southampton Town Architectural Review Board
5. Southampton Town Police Department
6. East Quogue Fire Department
7. Westhampton War Memorial Ambulance Association
8. East Quogue Union Free School District
9. East Quogue Citizens Advisory Committee

WHEREAS, by memorandum dated January 22, 2015, the Department of Land Management determined that the project submission complies with the minimum submission requirements pursuant to Town Code 330-244C and thus may proceed to the Town Board for public review; now, therefore

BE IT RESOLVED, that the Town Board of the Town of Southampton hereby coordinates lead agency status and directs the Town Clerk to forward the Environmental Assessment Form (EAF) Part 1, together with the Change of Zone application, to all involved agencies for the purposes of determining Lead Agency for SEQRA review; and be it further

RESOLVED, that, in addition, the Town Clerk shall post the application online on the Town website and forward the application materials to all interested agencies for their review and

recommendations.

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-211						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

VII. Closing